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THE

# WORKS

OF

THE RIGHT HONOURABLE

# EDMUND BURKE.

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MR. BURKE's

# SPEECHES

AT

# HIS ARRIVAL AT BRISTOL,

AND AT

# THE CONCLUSION OF THE POLL.

1774.



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# EDITOR's ADVERTISEMENT.

WE believe there is no need of an apology to the publick for offering to them any genuine ſpeeches of Mr. Burke: the two contained in this publication undoubtedly are ſo. The general approbation they met with (as we hear) from all parties at Briſtol, perſuades us that a good edition of them will not be unacceptable in London; which we own to be the inducement, and we hope is a juſtification, of our offering it.

We do not preſume to deſcant on the merit of theſe Speeches; but as it is no leſs new, than honourable, to find a popular candidate, at a popular election, daring to avow his diſſent to certain points that have been conſidered as very popular objects, and maintaining himſelf on the manly confidence of his own opinion; ſo, we muſt ſay, that it does great credit to the people of England, as it proves to the world, that, to inſure their confidence, it is not neceſſary to flatter them, or to affect a ſubſerviency to their paſſions or their prejudices.

It may be neceſſary to premiſe, that at the opening of the poll the candidates were Lord Clare,



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Mr. Brickdale, the two laſt members; and Mr. Cruger, a conſiderable merchant at Briſtol. On the ſecond day of the poll Lord Clare declined; and a conſiderable body of gentlemen, who had wiſhed that the city of Briſtol ſhould, at this critical ſeaſon, be repreſented by ſome gentleman of tried abilities and known commercial knowledge, immediately put Mr. Burke in nomination. Some of them ſet off expreſs for London to appriſe that gentleman of this event; but he was gone to Malton in Yorkſhire. The ſpirit and active zeal of theſe gentlemen followed him to Malton. They arrived there juſt after Mr. Burke's election for that place, and invited him to Briſtol.

Mr. Burke, as he tell us in his firſt Speech, acquainted his conſtituents with the honourable offer that was made him; and, with their conſent, he immediately ſet off for Briſtol on the Tueſday at ſix in the evening; he arrived at Briſtol at half paſt two in the afternoon on Thurſday the 13th of October, being the ſixth day of the poll.

He drove directly to the mayor's houſe, who not being at home, he proceeded to the Guildhall, where he aſcended the huſtings, and having ſaluted the electors, the ſheriffs, and the two candidates, he repoſed himſelf for a few minutes, and then addreſſed the electors in a ſpeech which was received with great and univerſal applauſe and approbation.

MR.

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# MR. BURKE's SPEECH

AT

## HIS ARRIVAL AT BRISTOL.

GENTLEMEN,

I AM come hither to ſolicit in perſon, that favour which my friends have hitherto endeavoured to procure for me, by the moſt obliging, and to me the moſt honourable, exertions.

I have ſo high an opinion of the great truſt which you have to confer on this occaſion; and, by long experience, ſo juſt a diffidence in my abilities, to fill it in a manner adequate even to my own ideas, that I ſhould never have ventured of myſelf to intrude into that awful ſituation. But ſince I am called upon by the deſire of ſeveral reſpectable fellow-ſubjects, as I have done at other times, I give up my fears to their wiſhes. Whatever my other deficiencies may be, I do not know what it is to be wanting to my friends.

I am not fond of attempting to raiſe publick expectations by great promiſes. At this time, there is much cauſe to conſider, and very little to preſume.



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ſume. We ſeem to be approaching to a great criſis in our affairs, which calls for the whole wiſdom of the wiſeſt among us, without being able to aſſure ourſelves, that any wiſdom can preſerve us from many and great inconveniencies. You know I ſpeak of our unhappy conteſt with America. I confeſs, it is a matter on which I look down as from a precipice. It is difficult in itſelf, and it is rendered more intricate by a great variety of plans of conduct. I do not mean to enter into them. I will not ſuſpect a want of good intention in framing them. But however pure the intentions of their authors may have been, we all know that the event has been unfortunate. The means of recovering our affairs are not obvious. So many great queſtions of commerce, of finance, of conſtitution, and of policy, are involved in this American deliberation, that I dare engage for nothing, but that I ſhall give it, without any predilection to former opinions, or any ſiniſter bias whatſoever, the moſt honeſt and impartial conſideration of which I am capable. The publick has a full right to it; and this great city, a main pillar in the commercial intereſt of Great Britain, muſt totter on its baſe by the ſlighteſt miſtake with regard to our American meaſures.

Thus much, however, I think it not amiſs to lay before you; That I am not, I hope, apt to take up or lay down my opinions lightly. I have held,

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and ever ſhall maintain, to the beſt of my power, unimpaired and undiminiſhed, the juſt, wiſe, and neceſſary conſtitutional ſuperiority of Great Britain. This is neceſſary for America, as well as for us. I never mean to depart from it. Whatever may be loſt by it, I avow it. The forfeiture even of your favour, if by ſuch a declaration I could forfeit it, though the firſt object of my ambition, never will make me diſguiſe my ſentiments on this ſubject.

But,—I have ever had a clear opinion, and have ever held a conſtant correſpondent conduct, that this ſuperiority is conſiſtent with all the liberties a ſober and ſpirited American ought to deſire. I never mean to put any coloniſt, or any human creature, in a ſituation, not becoming a free-man. To reconcile Britiſh ſuperiority with American liberty ſhall be my great object, as far as my little faculties extend. I am far from thinking that both, even yet, may not be preſerved.

When I firſt devoted myſelf to the publick ſervice, I conſidered how I ſhould render myſelf fit for it; and this I did by endeavouring to diſcover what it was, that gave this country the rank it holds in the world. I found that our proſperity and dignity aroſe principally, if not ſolely, from two ſources; our conſtitution and commerce. Both theſe I have ſpared no ſtudy to underſtand, and no endeavour to ſupport.



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The diſtinguiſhing part of our conſtitution is its liberty. To preſerve that liberty inviolate, ſeems the particular duty and proper truſt of a member of the Houſe of Commons. But the liberty, the only liberty I mean, is a liberty connected with order; that not only exiſts along with order and virtue, but which cannot exiſt at all without them. It inheres in good and ſteady government, as in its ſubſtance and vital principle.

The other ſource of our power is commerce, of which you are ſo large a part, and which cannot exiſt, no more than your liberty, without a connection with many virtues. It has ever been a very particular and a very favourite object of my ſtudy, in its principles, and in its details. I think many here are acquainted with the truth of what I ſay. This I know, that I have ever had my houſe open, and my poor ſervices ready, for traders and manufacturers of every denomination. My favourite ambition is to have thoſe ſervices acknowledged. I now appear before you to make trial, whether my earneſt endeavours have been ſo wholly oppreſſed by the weakneſs of my abilities, as to be rendered inſignificant in the eyes of a great trading city; or whether you chuſe to give a weight to humble abilities, for the ſake of the honeſt exertions with which they are accompanied. This is my trial to-day. My induſtry is not on trial. Of my induſtry I am ſure,

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as far as my conſtitution of mind and body admitted.

When I was invited by many reſpectable merchants, freeholders, and freemen of this city, to offer them my ſervices, I had juſt received the honour of an election at another place, at a very great diſtance from this. I immediately opened the matter to thoſe of my worthy conſtituents who were with me, and they unanimouſly adviſed me not to decline it. They told me, that they had elected me with a view to the publick ſervice; and as great queſtions relative to our commerce and colonies were imminent, that in ſuch matters I might derive authority and ſupport from the repreſentation of this great commercial city; they deſired me therefore to ſet off without delay, very well perſuaded that I never could forget my obligations to them, or to my friends, for the choice they had made of me. From that time to this inſtant I have not ſlept; and if I ſhould have the honour of being freely choſen by you, I hope I ſhall be as far from ſlumbering or ſleeping when your ſervice requires me to be awake, as I have been in coming to offer myſelf a candidate for your favour.

MR.

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# MR. BURKE's SPEECH

TO THE

## ELECTORS OF BRISTOL,

*On his being declared by the Sheriffs, duly elected one of the Repreſentatives in Parliament for that City.*

On Thurſday the third of Novembet, 1774.

GENTLEMEN,

I CANNOT avoid ſympathizing ſtrongly with the feelings of the gentleman who has received the ſame honour that you have conferred on me. If he, who was bred and paſſed his whole life amongſt you; if he, who through the eaſy gradations of acquaintance, friendſhip, and eſteem, has obtained the honour, which ſeems of itſelf, naturally and almoſt inſenſibly, to meet with thoſe, who, by the even tenour of pleaſing manners and ſocial virtues, ſlide into the love and confidence of their fellow-citizens;—if he cannot ſpeak but with great emotion on this ſubject, ſurrounded as he is on all ſides with his old friends; you will have the goodneſs to excuſe me, if my real, unaffected embarraſſment prevents me from expreſſing my gratitude to you as I ought.

I was

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I was brought hither under the diſadvantage of being unknown, even by ſight, to any of you. No previous canvaſs was made for me. I was put in nomination after the poll was opened. I did not appear until it was far advanced. If, under all theſe accumulated diſadvantages, your good opinion has carried me to this happy point of ſucceſs; you will pardon me, if I can only ſay to you collectively, as I ſaid to you individually, ſimply and plainly, I thank you—I am obliged to you—I am not inſenſible of your kindneſs.

This is all that I am able to ſay for the ineſtimable favour you have conferred upon me. But I cannot be ſatisfied, without ſaying a little more in defence of the right you have to confer ſuch a favour. The perſon that appeared here as counſel for the candidate, who ſo long and ſo earneſtly ſolicited your votes, thinks proper to deny, that a very great part of you have any votes to give. He fixes a ſtandard period of time in his own imagination, not what the law defines, but merely what the convenience of his client ſuggeſts, by which he would cut off, at one ſtroke, all thoſe freedoms, which are the deareſt privileges of your corporation; which the common law authorizes; which your magiſtrates are compelled to grant; which come duly authenticated into this court; and are ſaved in the cleareſt words, and with the moſt religious care and tenderneſs, in that very act

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act of parliament, which was made to regulate the elections by freemen, and to prevent all poſſible abuſes in making them.

I do not intend to argue the matter here. My learned counſel has ſupported your cauſe with his uſual ability; the worthy ſheriffs have acted with their uſual equity, and I have no doubt, that the ſame equity, which dictates the return, will guide the final determination. I had the honour, in conjunction with many far wiſer men, to contribute a very ſmall aſſiſtance, but however ſome aſſiſtance, to the forming the judicature which is to try ſuch queſtions. It would be unnatural in me, to doubt the juſtice of that court, in the trial of my own cauſe, to which I have been ſo active to give juriſdiction over every other.

I aſſure the worthy freemen, and this corporation, that, if the gentleman perſeveres in the intentions, which his preſent warmth dictates to him, I will attend their cauſe with diligence, and I hope with effect. For, if I know any thing of myſelf, it is not my own intereſt in it, but my full conviction, that induces me to tell you—*I think there is not a ſhadow of doubt in the caſe.*

I do not imagine that you find me raſh in declaring myſelf, or very forward in troubling you. From the beginning to the end of the election, I have kept ſilence in all matters of diſcuſſion. I have never aſked a queſtion of a voter on the other ſide,

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ſide, or ſupported a doubtful vote on my own. I reſpected the abilities of my managers; I relied on the candour of the court. I think the worthy ſheriffs will bear me witneſs, that I have never once made an attempt to impoſe upon their reaſon, to ſurpriſe their juſtice, or to ruffle their temper. I ſtood on the huſtings (except when I gave my thanks to thoſe who favoured me with their votes) leſs like a candidate, than an unconcerned ſpectator of a publick proceeding. But here the face of things is altered. Here is an attempt for a general *maſſacre* of ſuffrages; an attempt, by a promiſcuous carnage of *friends* and *foes*, to exterminate above two thouſand votes, including *ſeven hundred polled for the gentleman himſelf, who now complains*, and who would deſtroy the friends whom he has obtained, only becauſe he cannot obtain as many of them as he wiſhes.

How he will be permitted, in another place, to ſtultify and diſable himſelf, and to plead againſt his own acts, is another queſtion. The law will decide it. I ſhall only ſpeak of it as it concerns the propriety of publick conduct in this city. I do not pretend to lay down rules of decorum for other gentlemen. They are beſt judges of the mode of proceeding that will recommend them to the favour of their fellow-citizens. But I confeſs, I ſhould look rather awkward, if I had been the *very firſt to produce the new copies of freedom*, if I had

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I had perſiſted in producing them to the laſt; if I had ranſacked, with the moſt unremitting induſtry, and the moſt penetrating reſearch, the remoteſt corners of the kingdom to diſcover them; if I were then, all at once, to turn ſhort, and declare, that I had been ſporting all this while with the right of election; and that I had been drawing out a poll, upon no ſort of rational grounds, which diſturbed the peace of my fellow-citizens for a month together—I really, for my part, ſhould appear awkward under ſuch circumſtances.

It would be ſtill more awkward in me, if I were gravely to look the ſheriffs in the face, and to tell them, they were not to determine my cauſe on my own principles; nor to make the return upon thoſe votes, upon which I had reſted my election. Such would be my appearance to the court and magiſtrates.

But how ſhould I appear to the *voters* themſelves? if I had gone round to the citizens intitled to freedom, and ſqueezed them by the hand—"Sir, I humbly beg your vote—I ſhall be eternally "thankful—may I hope for the honour of your "ſupport?—Well!—come—we ſhall ſee you at "the council-houſe."—If I were then to deliver them to my managers, pack them into tallies, vote them off in court, and when I heard from the bar —"Such a one only! and ſuch a one for ever!— "he's my man!"—"Thank you, good Sir—Hah! "my

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" my worthy friend! thank you kindly — that's " an honeſt fellow—how is your good family?"— Whilſt theſe words were hardly out of my mouth, if I ſhould have wheeled round at once, and told them — " Get you gone, you pack of worthleſs " fellows! you have no votes—you are uſurpers! " you are intruders on the rights of real freemen! " I will have nothing to do with you! you ought " never to have been produced at this election, and " the ſheriffs ought not to have admitted you to " poll."

Gentlemen, I ſhould make a ſtrange figure, if my conduct had been of this ſort. I am not ſo old an acquaintance of yours as the worthy gentleman. Indeed I could not have ventured on ſuch kind of freedoms with you. But I am bound, and I will endeavour, to have juſtice done to the rights of freemen; even though I ſhould, at the ſame time, be obliged to vindicate the former* part of my antagoniſt's conduct againſt his own preſent inclinations.

I owe myſelf, in all things, to *all* the freemen of this city. My particular friends have a demand on me, that I ſhould not deceive their expectations. Never was cauſe or man ſupported with more conſtancy, more activity, more ſpirit. I have

* Mr. Brickdale opened his poll, it ſeems, with a tally of thoſe very kind of freemen, and voted many hundreds of them.

been

been ſupported with a zeal indeed and heartineſs in my friends, which (if their object had been at all proportioned to their endeavours) could never be ſufficiently commended. They ſupported me upon the moſt liberal principles. They wiſhed that the members for Briſtol ſhould be choſen for the city, and for their country at large, and not for themſelves.

So far they are not diſappointed. If I poſſeſs nothing elſe, I am ſure I poſſeſs the temper that is fit for your ſervice. I know nothing of Briſtol, but by the favours I have received, and the virtues I have ſeen exerted in it.

I ſhall ever retain, what I now feel, the moſt perfect and grateful attachment to my friends — and I have no enmities; no reſentment. I never can conſider fidelity to engagements, and conſtancy in friendſhips, but with the higheſt approbation; even when thoſe noble qualities are employed againſt my own pretenſions. The gentleman, who is not fortunate as I have been in this conteſt, enjoys, in this reſpect, a conſolation full of honour both to himſelf and to his friends. They have certainly left nothing undone for his ſervice.

As for the trifling petulance, which the rage of party ſtirs up in little minds, though it ſhould ſhew itſelf even in this court, it has not made the ſlighteſt impreſſion on me. The higheſt flight of ſuch clamorous birds is winged in an inferiour re-



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gion of the air. We hear them, and we look upon them, juſt as you, gentlemen, when you enjoy the ſerene air on your lofty rocks, look down upon the gulls, that ſkim the mud of your river, when it is exhauſted of its tide.

I am ſorry I cannot conclude, without ſaying a word on a topick touched upon by my worthy colleague. I wiſh that topick had been paſſed by; at a time when I have ſo little leiſure to diſcuſs it. But ſince he has thought proper to throw it out, I owe you a clear explanation of my poor ſentiments on that ſubject.

He tells you, that "the topick of inſtructions "has occaſioned much altercation and uneaſineſs "in this city;" and he expreſſes himſelf (if I underſtand him rightly) in favour of the coercive authority of ſuch inſtructions.

Certainly, gentlemen, it ought to be the happineſs and glory of a repreſentative, to live in the ſtricteſt union, the cloſeſt correſpondence, and the moſt unreſerved communication with his conſtituents. Their wiſhes ought to have great weight with him; their opinion high reſpect; their buſineſs unremitted attention. It is his duty to ſacrifice his repoſe, his pleaſures, his ſatisfactions, to theirs; and, above all, ever, and in all caſes, to prefer their intereſt to his own. But, his unbiaſſed opinion, his mature judgment, his enlightened conſcience, he ought not to ſacrifice to you;

to

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to any man, or to any ſet of men living. Theſe he does not derive from your pleaſure; no, nor from the law and the conſtitution. They are a truſt from Providence, for the abuſe of which he is deeply anſwerable. Your repreſentative owes you, not his induſtry only, but his judgment; and he betrays, inſtead of ſerving you, if he ſacrifices it to your opinion.

My worthy colleague ſays, his will ought to be ſubſervient to yours. If that be all, the thing is innocent. If government were a matter of will upon any ſide, yours, without queſtion, ought to be ſuperiour. But government and legiſlation are matters of reaſon and judgment, and not of inclination; and, what ſort of reaſon is that, in which the determination precedes the diſcuſſion; in which one ſet of men deliberate, and another decide; and where thoſe who form the concluſion are perhaps three hundred miles diſtant from thoſe who hear the arguments?

To deliver an opinion, is the right of all men; that of conſtituents is a weighty and reſpectable opinion, which a repreſentative ought always to rejoice to hear; and which he ought always moſt ſeriouſly to conſider. But *authoritative* inſtructions; *mandates* iſſued, which the member is bound blindly and implicitly to obey, to vote, and to argue for, though contrary to the cleareſt conviction of his judgment and conſcience; theſe are



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things utterly unknown to the laws of this land, and which ariſe from a fundamental miſtake of the whole order and tenour of our conſtitution.

Parliament is not a *congreſs* of ambaſſadors from different and hoſtile intereſts; which intereſts each muſt maintain, as an agent and advocate, againſt other agents and advocates; but parliament is a *deliberative* aſſembly of *one* nation, with *one* intereſt, that of the whole; where, not local purpoſes, not local prejudices ought to guide, but the general good, reſulting from the general reaſon of the whole. You chuſe a member indeed; but when you have choſen him, he is not member of Briſtol, but he is a member of *parliament*. If the local conſtituent ſhould have an intereſt, or ſhould form an haſty opinion, evidently oppoſite to the real good of the reſt of the community, the member for that place ought to be as far, as any other, from any endeavour to give it effect. I beg pardon for ſaying ſo much on this ſubject. I have been unwillingly drawn into it; but I ſhall ever uſe a reſpectful frankneſs of communication with you. Your faithful friend, your devoted ſervant, I ſhall be to the end of my life: a flatterer you do not wiſh for. On this point of inſtructions, however, I think it ſcarcely poſſible, we ever can have any ſort of difference. Perhaps I may give you too much, rather than too little trouble.

From the firſt hour I was encouraged to court your

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your favour to this happy day of obtaining it, I have never promiſed you any thing, but humble and perſevering endeavours to do my duty. The weight of that duty, I confeſs, makes me tremble; and whoever well conſiders what it is, of all things in the world will fly from what has the leaſt likeneſs to a poſitive and precipitate engagement. To be a good member of parliament, is, let me tell you, no eaſy taſk; eſpecially at this time, when there is ſo ſtrong a diſpoſition to run into the perilous extremes of ſervile compliance or wild popularity. To unite circumſpection with vigour, is abſolutely neceſſary; but it is extremely difficult. We are now members for a rich commercial *city*; this city, however, is but a part of a rich commercial *nation*, the intereſts of which are various, multiform, and intricate. We are members for that great nation, which however is itſelf but part of a great *empire*, extended by our virtue and our fortune to the fartheſt limits of the eaſt and of the weſt. All theſe wide-ſpread intereſts muſt be conſidered; muſt be compared; muſt be reconciled if poſſible. We are members for a *free* country; and ſurely we all know, that the machine of a free conſtitution is no ſimple thing; but as intricate and as delicate, as it is valuable. We are members in a great and ancient *monarchy*; and we muſt preſerve religiouſly, the true legal rights of the ſovereign, which form the



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key-ſtone that binds together the noble and well-conſtructed arch of our empire and our conſtitution. A conſtitution made up of balanced powers muſt ever be a critical thing. As ſuch I mean to touch that part of it which comes within my reach. I know my inability, and I wiſh for ſupport from every quarter. In particular I ſhall aim at the friendſhip, and ſhall cultivate the beſt correſpondence, of the worthy colleague you have given me.

I trouble you no farther than once more to thank you all; you, gentlemen, for your favours; the candidates, for their temperate and polite behaviour; and the ſheriffs, for a conduct which may give a model for all who are in publick ſtations.

MR.

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# MR. BURKE's SPEECH

ON

MOVING HIS RESOLUTIONS

FOR

CONCILIATION WITH THE COLONIES,

*MARCH* 22, 1775.

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# SPEECH, &c.

I HOPE, Sir, that notwithſtanding the auſterity of the Chair, your good-nature will incline you to ſome degree of indulgence towards human frailty. You will not think it unnatural, that thoſe who have an object depending, which ſtrongly engages their hopes and fears, ſhould be ſomewhat inclined to ſuperſtition. As I came into the houſe full of anxiety about the event of my motion, I found to my infinite ſurpriſe, that the grand penal Bill, by which we had paſſed ſentence on the trade and ſuſtenance of America, is to be returned to us from the other houſe.* I do confeſs, I could not help looking on this event as a fortunate omen. I look upon it as a ſort of providential favour; by which we are put once more in poſſeſſion of our deliberative capacity, upon a buſineſs ſo very queſ-

* The Act to reſtrain the trade and commerce of the provinces of Maſſachuſet's-Bay and New Hampſhire, and colonies of Connecticut and Rhode Iſland, and Providence Plantation, in North America, to Great Britain, Ireland, and the Britiſh Iſlands in the Weſt Indies; and to prohibit ſuch provinces and colonies from carrying on any fiſhery on the banks of Newfoundland, and other places therein mentioned, under certain conditions and limitations.

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tionable in its nature, ſo very uncertain in its iſſue. By the return of this Bill, which ſeemed to have taken its flight for ever, we are at this very inſtant nearly as free to chooſe a plan for our American government, as we were on the firſt day of the ſeſſion. If, Sir, we incline to the ſide of conciliation, we are not at all embarraſſed (unleſs we pleaſe to make ourſelves ſo) by any incongruous mixture of coercion and reſtraint. We are therefore called upon, as it were by a ſuperiour warning voice, again to attend to America; to attend to the whole of it together; and to review the ſubject with an unuſual degree of care and calmneſs.

Surely it is an awful ſubject; or there is none ſo on this ſide of the grave. When I firſt had the honour of a ſeat in this houſe, the affairs of that continent preſſed themſelves upon us, as the moſt important and moſt delicate object of parliamentary attention. My little ſhare in this great deliberation oppreſſed me. I found myſelf a partaker in a very high truſt; and having no ſort of reaſon to rely on the ſtrength of my natural abilities for the proper execution of that truſt, I was obliged to take more than common pains, to inſtruct myſelf in every thing which relates to our colonies. I was not leſs under the neceſſity of forming ſome fixed ideas, concerning the general policy of the Britiſh empire. Something of this ſort ſeemed to be indiſpenſable; in order, amidſt ſo vaſt a fluctuation

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tion of paſſions and opinions, to concenter my thoughts; to ballaſt my conduct; to preſerve me from being blown about by every wind of faſhionable doctrine. I really did not think it ſafe, or manly, to have freſh principles to ſeek upon every freſh mail which ſhould arrive from America.

At that period, I had the fortune to find myſelf in perfect concurrence with a large majority in this Houſe. Bowing under that high authority, and penetrated with the ſharpneſs and ſtrength of that early impreſſion, I have continued ever ſince, without the leaſt deviation in my original ſentiments. Whether this be owing to an obſtinate perſeverance in errour, or to a religious adherence to what appears to me truth and reaſon, it is in your equity to judge.

Sir, Parliament having an enlarged view of objects, made, during this interval, more frequent changes in their ſentiments and their conduct, than could be juſtified in a particular perſon upon the contracted ſcale of private information. But though I do not hazard any thing approaching to a cenſure on the motives of former parliaments to all thoſe alterations, one fact is undoubted; that under them the ſtate of America has been kept in continual agitation. Every thing adminiſtered as remedy to the publick complaint, if it did not produce, was at leaſt followed by, an heightening of the diſtemper; until, by a variety of experiments, that

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that important country has been brought into her preſent ſituation;—a ſituation which I will not miſcall, which I dare not name; which I ſcarcely know how to comprehend in the terms of any deſcription.

In this poſture, Sir, things ſtood at the beginning of the ſeſſion. About that time, a worthy member * of great parliamentary experience, who, in the year 1766, filled the chair of the American committee with much ability, took me aſide; and, lamenting the preſent aſpect of our politicks, told me, things were come to ſuch a paſs, that our former methods of proceeding in the houſe would be no longer tolerated. That the publick tribunal (never too indulgent to a long and unſucceſsful oppoſition) would now ſcrutinize our conduct with unuſual ſeverity. That the very viciſſitudes and ſhiftings of miniſterial meaſures, inſtead of convicting their authors of inconſtancy and want of ſyſtem, would be taken as an occaſion of charging us with a predetermined diſcontent, which nothing could ſatisfy; whilſt we accuſed every meaſure of vigour as cruel, and every propoſal of lenity as weak and irreſolute. The publick, he ſaid, would not have patience to ſee us play the game out with our adverſaries: we muſt produce our hand. It would be expected, that thoſe who for

* Mr. Roſe Fuller.

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many years had been active in ſuch affairs ſhould ſhew, that they had formed ſome clear and decided idea of the principles of colony government; and were capable of drawing out ſomething like a platform of the ground, which might be laid for future and permanent tranquillity.

I felt the truth of what my hon. friend repreſented; but I felt my ſituation too. His application might have been made with far greater propriety to many other gentlemen. No man was indeed ever better diſpoſed, or worſe qualified, for ſuch an undertaking than myſelf. Though I gave ſo far into his opinion, that I immediately threw my thoughts into a ſort of parliamentary form, I was by no means equally ready to produce them. It generally argues ſome degree of natural impotence of mind, or ſome want of knowledge of the world, to hazard plans of government, except from a ſeat of authority. Propoſitions are made, not only ineffectually, but ſomewhat diſreputably, when the minds of men are not properly diſpoſed for their reception; and for my part, I am not ambitious of ridicule; not abſolutely a candidate for diſgrace.

Beſides, Sir, to ſpeak the plain truth, I have in general no very exalted opinion of the virtue of paper government; nor of any politicks, in which the plan is to be wholly ſeparated from the execution. But when I ſaw, that anger and violence prevailed

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prevailed every day more and more; and that things were haſtening towards an incurable alienation of our colonies; I confeſs my caution gave way. I felt this, as one of thoſe few moments in which decorum yields to an higher duty. Publick calamity is a mighty leveller; and there are occaſions when any, even the ſlighteſt, chance of doing good, muſt be laid hold on, even by the moſt inconſiderable perſon.

To reſtore order and repoſe to an empire ſo great and ſo diſtracted as ours, is, merely in the attempt, an undertaking that would ennoble the flights of the higheſt genius, and obtain pardon for the efforts of the meaneſt underſtanding. Struggling a good while with theſe thoughts, by degrees I felt myſelf more firm. I derived, at length, ſome confidence from what in other circumſtances uſually produces timidity. I grew leſs anxious, even from the idea of my own inſignificance. For, judging of what you are, by what you ought to be, I perſuaded myſelf, that you would not reject a reaſonable propoſition, becauſe it had nothing but its reaſon to recommend it. On the other hand, being totally deſtitute of all ſhadow of influence, natural or adventitious, I was very ſure, that, if my propoſition were futile or dangerous; if it were weakly conceived, or improperly timed, there was nothing exterior to it, of power to awe, dazzle, or delude you. You will

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will ſee it juſt as it is; and you will treat it juſt as it deſerves.

The propoſition is peace. Not peace through the medium of war; not peace to be hunted through the labyrinth of intricate and endleſs negotiations; not peace to ariſe out of univerſal diſcord, fomented from principle, in all parts of the empire; not peace to depend on the juridical determination of perplexing queſtions; or the preciſe marking the ſhadowy boundaries of a complex government. It is ſimple peace; ſought in its natural courſe, and in its ordinary haunts. —It is peace ſought in the ſpirit of peace; and laid in principles purely pacifick. I propoſe, by removing the ground of the difference, and by reſtoring the *former unſuſpecting confidence of the colonies in the mother country*, to give permanent ſatisfaction to your people; and (far from a ſcheme of ruling by diſcord) to reconcile them to each other in the ſame act, and by the bond of the very ſame intereſt, which reconciles them to Britiſh government.

My idea is nothing more. Refined policy ever has been the parent of confuſion; and ever will be ſo, as long as the world endures. Plain good intention, which is as eaſily diſcovered at the firſt view, as fraud is ſurely detected at laſt, is, let me ſay, of no mean force in the government of mankind. Genuine ſimplicity of heart is an healing and cementing

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menting principle. My plan, therefore, being formed upon the moſt ſimple grounds imaginable, may diſappoint ſome people, when they hear it. It has nothing to recommend it to the pruriency of curious ears. There is nothing at all new and captivating in it. It has nothing of the ſplendour of the project, which has been lately laid upon your table by the noble lord in the blue ribband.* It does not propoſe to fill your lobby with ſquabbling colony agents, who will require the interpoſition of your mace, at every inſtant, to keep the peace amongſt them. It does not inſtitute a mag-

* "That when the governor, council, or aſſembly, or general court, of any of his majeſty's provinces or colonies in America, ſhall *propoſe* to make proviſion, *according to the condition, circumſtances*, and *ſituation*, of ſuch province or colony, for contributing their *proportion* to the *common defence* (ſuch *proportion* to be raiſed under the authority of the general court, or general aſſembly, of ſuch province or colony, and diſpoſable by parliament) and ſhall engage to make proviſion alſo for the ſupport of the civil government, and the adminiſtration of juſtice, in ſuch province or colony, it will be proper, *if ſuch propoſal ſhall be approved by his majeſty, and the two houſes of parliament*, and for ſo long as ſuch proviſion ſhall be made accordingly, to forbear, *in reſpect of ſuch province or colony*, to levy any duty, tax, or aſſeſſment, or to impoſe any farther duty, tax, or aſſeſſment, except ſuch duties as it may be expedient to continue to levy or impoſe, for the regulation of commerce; the nett produce of the duties laſt mentioned to be carried to the account of ſuch province or colony reſpectively." Reſolution moved by Lord North in the committee; and agreed to by the houſe, 27th Feb. 1775.

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nificent auction of finance, where captivated provinces come to general ranſom by bidding againſt each other, until you knock down the hammer, and determine a proportion of payments, beyond all the powers of algebra to equaliſe and ſettle.

The plan, which I ſhall preſume to ſuggeſt, derives, however, one great advantage from the propoſition and regiſtry of that noble lord's project. The idea of conciliation is admiſſible. Firſt, the houſe in accepting the reſolution moved by the noble lord, has admitted, notwithſtanding the menacing front of our addreſs, notwithſtanding our heavy bill of pains and penalties—that we do not think ourſelves precluded from all ideas of free grace and bounty.

2 The houſe has gone farther; it has declared conciliation admiſſible, *previous* to any ſubmiſſion on the part of America. It has even ſhot a good deal beyond that mark, and has admitted, that the 3 complaints of our former mode of exerting the right of taxation were not wholly unfounded. That right thus exerted is allowed to have had ſomething reprehenſible in it; ſomething unwiſe, or ſomething grievous; ſince, in the midſt of our heat and reſentment, we, of ourſelves, have propoſed a capital alteration; and, in order to get rid of what ſeemed ſo very exceptionable, have inſtituted a mode that is altogether new; one that is, indeed,



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indeed, wholly alien from all the ancient methods and forms of parliament.

The *principle* of this proceeding is large enough for my purpoſe. The means propoſed by the noble lord for carrying his ideas into execution, I think indeed, are very indifferently ſuited to the end; and this I ſhall endeavour to ſhew you before I ſit down. But, for the preſent, I take my ground on the admitted principle. I mean to give peace. Peace implies reconciliation; and where there has been a material diſpute, reconciliation does in a manner always imply conceſſion on the one part or on the other. In this ſtate of things I make no difficulty in affirming, that the propoſal ought to originate from us. Great and acknowledged force is not impaired, either in effect or in opinion, by an unwillingneſs to exert itſelf. The ſuperiour power may offer peace with honour and with ſafety. Such an offer from ſuch a power will be attributed to magnanimity. But the conceſſions of the weak are the conceſſions of fear. When ſuch a one is diſarmed, he is wholly at the mercy of his ſuperiour; and he loſes for ever that time and thoſe chances, which, as they happen to all men, are the ſtrength and reſources of all inferiour power.

The capital leading queſtions on which you muſt this day decide, are theſe two. Firſt, whether you ought

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ought to concede; and secondly, what your conceſſion ought to be. On the firſt of theſe queſtions we have gained (as I have juſt taken the liberty of obſerving to you) ſome ground. But I am ſenſible that a good deal more is ſtill to be done. Indeed, Sir, to enable us to determine both on the one and the other of theſe great queſtions with a firm and preciſe judgment, I think it may be neceſſary to conſider diſtinctly the true nature and the peculiar circumſtances of the object which we have before us. Becauſe after all our ſtruggle, whether we will or not, we muſt govern America, according to that nature, and to thoſe circumſtances; and not according to our own imaginations; not according to abſtract ideas of right; by no means according to mere general theories of government, the reſort to which appears to me, in our preſent ſituation, no better than arrant trifling. I ſhall therefore endeavour, with your leave, to lay before you ſome of the moſt material of theſe circumſtances in as full and as clear a manner as I am able to ſtate them.

The firſt thing that we have to conſider with regard to the nature of the object is—the number of people in the colonies. I have taken for ſome years a good deal of pains on that point. I can by no calculation juſtify myſelf in placing the number below two millions of inhabitants of our own European blood and colour; beſides at leaſt



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500,000 others, who form no inconſiderable part of the ſtrength and opulence of the whole. This, Sir, is, I believe, about the true number. There is no occaſion to exaggerate, where plain truth is of ſo much weight and importance. But whether I put the preſent numbers too high or too low, is a matter of little moment. Such is the ſtrength with which population ſhoots in that part of the world, that ſtate the numbers as high as we will, whilſt the diſpute continues, the exaggeration ends. Whilſt we are diſcuſſing any given magnitude, they are grown to it. Whilſt we ſpend our time in deliberating on the mode of governing two millions, we ſhall find we have millions more to manage. Your children do not grow faſter from infancy to manhood, than they ſpread from families to communities, and from villages to nations.

I put this conſideration of the preſent and the growing numbers in the front of our deliberation; becauſe, Sir, this conſideration will make it evident to a blunter diſcernment than yours, that no partial, narrow, contracted, pinched, occaſional ſyſtem will be at all ſuitable to ſuch an object. It will ſhew you, that it is not to be conſidered as one of thoſe *minima* which are out of the eye and conſideration of the law; not a paltry excreſcence of the ſtate; not a mean dependant, who may be neglected with little damage, and provoked with little

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little danger. It will prove, that ſome degree of care and caution is required in the handling ſuch an object; it will ſhew that you ought not, in reaſon, to trifle with ſo large a maſs of the intereſts and feelings of the human race. You could at no time do ſo without guilt; and be aſſured you will not be able to do it long with impunity.

But the population of this country, the great and growing population, though a very important conſideration, will loſe much of its weight, if not combined with other circumſtances. The commerce of your colonies is out of all proportion beyond the numbers of the people. This ground of their commerce indeed has been trod ſome days ago, and with great ability, by a diſtinguiſhed perſon,* at your bar. This gentleman, after thirty-five years—it is ſo long ſince he firſt appeared at the ſame place to plead for the commerce of Great Britain—has come again before you to plead the ſame cauſe, without any other effect of time, than, that to the fire of imagination and extent of erudition, which even then marked him as one of the firſt literary characters of his age, he has added a conſummate knowledge in the commercial intereſt of his country, formed by a long courſe of enlightened and diſcriminating experience.

Sir, I ſhould be inexcuſable in coming after ſuch

* Mr. Glover.



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a perſon with any detail; if a great part of the members who now fill the houſe had not the misfortune to be abſent when he appeared at your bar. Beſides, Sir, I propoſe to take the matter at periods of time ſomewhat different from his. There is, if I miſtake not, a point of view, from whence if you will look at this ſubject, it is impoſſible that it ſhould not make an impreſſion upon you.

I have in my hand two accounts; one a comparative ſtate of the export trade of England to its colonies, as it ſtood in the year 1704, and as it ſtood in the year 1772. The other a ſtate of the export trade of this country to its colonies alone, as it ſtood in 1772, compared with the whole trade of England to all parts of the world (the colonies included) in the year 1704. They are from good vouchers; the latter period from the accounts on your table, the earlier from an original manuſcript of Davenant, who firſt eſtabliſhed the inſpector general's office, which has been ever ſince his time ſo abundant a ſource of parliamentary information.

The export trade to the colonies conſiſts of three great branches. The African, which, terminating almoſt wholly in the colonies, muſt be put to the account of their commerce; the Weſt Indian; and the North American. All theſe are ſo interwoven, that the attempt to ſeparate them, would tear to pieces the contexture of the whole; and

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if not entirely deſtroy, would very much depreciate the value of all the parts. I therefore conſider theſe three denominations to be, what in effect they are, one trade.

The trade to the colonies, taken on the export ſide, at the beginning of this century, that is, in the year 1704, ſtood thus:

| | |
|---|---|
| Exports to North America, and the Weſt Indies | £.483,265 |
| To Africa | 86,665 |
| | 569,930 |

In the year 1772, which I take as a middle year between the higheſt and loweſt of thoſe lately laid on your table, the account was as follows:

| | |
|---|---|
| To North America, and the Weſt Indies | £.4,791,734 |
| To Africa | 866,398 |
| To which if you add the export trade from Scotland, which had in 1704 no exiſtence | 364,000 |
| | 6,022,132 |

From five hundred and odd thouſand, it has grown to ſix millions. It has increaſed no leſs than twelve-fold. This is the ſtate of the colony trade, as compared with itſelf at theſe two periods, within this century;—and this is matter for meditation. But this is not all. Examine my ſecond account. See how the export trade to the colonies alone in 1772 ſtood in the other point of view, that is, as compared to the whole trade of England in 1704.

| | |
|---|---|
| The whole export trade of England, including that to the colonies, in 1704 - - - - - - - - - - | £.6,509,000 |
| Export to the colonies alone, in 1772 | 6,024,000 |
| Difference - | 485,000 |

The trade with America alone is now within leſs than 500,000*l.* of being equal to what this great commercial nation, England, carried on at the beginning of this century with the whole world! If I had taken the largeſt year of thoſe on your table, it would rather have exceeded. But, it will be ſaid, is not this American trade an unnatural protuberance, that has drawn the juices from the reſt of the body? The reverſe. It is the very food that has nouriſhed every other part into its

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its preſent magnitude. Our general trade has been greatly augmented; and augmented more or leſs in almoſt every part to which it ever extended; but with this material difference; that of the ſix millions which in the beginning of the century conſtituted the whole maſs of our export commerce, the colony trade was but one twelfth part; it is now (as a part of ſixteen millions) conſiderably more than a third of the whole. This is the relative proportion of the importance of the colonies at theſe two periods: and all reaſoning concerning our mode of treating them muſt have this proportion as its baſis; or it is a reaſoning weak, rotten, and ſophiſtical.

Mr. Speaker, I cannot prevail on myſelf to hurry over this great conſideration. It is good for us to be here. We ſtand where we have an immenſe view of what is, and what is paſt. Clouds indeed, and darkneſs, reſt upon the future. Let us, however, before we deſcend from this noble eminence, reflect that this growth of our national proſperity has happened within the ſhort period of the life of man. It has happened within ſixty-eight years. There are thoſe alive whoſe memory might touch the two extremities. For inſtance, my Lord Bathurſt might remember all the ſtages of the progreſs. He was in 1704 of an age at leaſt to be made to comprehend ſuch things. He was then old enough *acta parentum jam legere*,

et

*et quæ sit poterit cognoscere virtus*—Suppose, Sir, that the angel of this auspicious youth, foreseeing the many virtues, which made him one of the most amiable, as he is one of the most fortunate men of his age, had opened to him in vision, that, when, in the fourth generation, the third prince of the house of Brunswick had sat twelve years on the throne of that nation, which (by the happy issue of moderate and healing councils) was to be made Great Britain, he should see his son, Lord Chancellor of England, turn back the current of hereditary dignity to its fountain, and raise him to an higher rank of peerage, whilst he enriched the family with a new one—If amidst these bright and happy scenes of domestick honour and prosperity, that angel should have drawn up the curtain, and unfolded the rising glories of his country, and whilst he was gazing with admiration on the then commercial grandeur of England, the genius should point out to him a little speck, scarce visible in the mass of the national interest, a small seminal principle, rather than a formed body, and should tell him—"Young man, there "is America—which at this day serves for little "more than to amuse you with stories of savage "men, and uncouth manners; yet shall, before "you taste of death, shew itself equal to the whole "of that commerce which now attracts the envy "of the world. Whatever England has been "growing to by a progressive increase of improve-

"ment,

"ment, brought in by varieties of people, by ſuc-
"ceſſion of civiliſing conqueſts and civiliſing ſet-
"tlements in a ſeries of ſeventeen hundred years,
"you ſhall ſee as much added to her by America
"in the courſe of a ſingle life!" If this ſtate of his country had been foretold to him, would it not require all the ſanguine credulity of youth, and all the fervid glow of enthuſiaſm, to make him believe it? Fortunate man, he has lived to ſee it! Fortunate indeed, if he lives to ſee nothing that ſhall vary the proſpect, and cloud the ſetting of his day!

Excuſe me, Sir, if turning from ſuch thoughts I reſume this comparative view once more. You have ſeen it on a large ſcale; look at it on a ſmall one. I will point out to your attention a particular inſtance of it in the ſingle province of Penſylvania. In the year 1704 that province called for 11,459*l.* in value of your commodities, native and foreign. This was the whole. What did it demand in 1772? Why nearly fifty times as much; for in that year the export to Penſylvania was 507,909*l.* nearly equal to the export to all the colonies together in the firſt period.

I chooſe, Sir, to enter into theſe minute and particular details; becauſe generalities, which, in all other caſes are apt to heighten and raiſe the ſubject, have here a tendency to ſink it. When we ſpeak of the commerce with our colonies, fic-

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tion lags after truth; invention is unfruitful, and imagination cold and barren.

So far, Sir, as to the importance of the object in the view of its commerce, as concerned in the exports from England. If I were to detail the imports, I could shew how many enjoyments they procure, which deceive the burthen of life; how many materials which invigorate the springs of national industry, and extend and animate every part of our foreign and domestick commerce. This would be a curious subject indeed — but I must prescribe bounds to myself in a matter so vast and various.

I pass therefore to the colonies in another point of view, their agriculture. This they have prosecuted with such a spirit, that, besides feeding plentifully their own growing multitude, their annual export of grain, comprehending rice, has some years ago exceeded a million in value. Of their last harvest, I am perswaded, they will export much more. At the beginning of the century, some of these colonies imported corn from the mother country. For some time past, the old world has been fed from the new. The scarcity which you have felt would have been a desolating famine, if this child of your old age, with a true filial piety, with a Roman charity, had not put the full breast of its youthful exuberance to the mouth of its exhausted parent.

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As to the wealth which the colonies have drawn from the ſea by their fiſheries, you had all that matter fully opened at your bar. You ſurely thought thoſe acquiſitions of value, for they ſeemed even to excite your envy; and yet the ſpirit, by which that enterpriſing employment has been exerciſed, ought rather, in my opinion, to have raiſed your eſteem and admiration. And pray, Sir, what in the world is equal to it? Paſs by the other parts, and look at the manner in which the people of New England have of late carried on the whale fiſhery. Whilſt we follow them among the tumbling mountains of ice, and behold them penetrating into the deepeſt frozen receſſes of Hudſon's Bay and Davis's Streights, whilſt we are looking for them beneath the arctick circle, we hear that they have pierced into the oppoſite region of polar cold, that they are at the antipodes, and engaged under the frozen ſerpent of the ſouth. Falkland Iſland, which ſeemed too remote and romantick an object for the graſp of national ambition, is but a ſtage and reſting-place in the progreſs of their victorious induſtry. Nor is the equinoctial heat more diſcouraging to them, than the accumulated winter of both the poles. We know that whilſt ſome of them draw the line and ſtrike the harpoon on the coaſt of Africa, others run the longitude, and purſue their gigantick game along the coaſt of Brazil. No ſea but what is vexed by their

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their fiſheries. No climate that is not witneſs to their toils. Neither the perſeverance of Holland, nor the activity of France, nor the dexterous and firm ſagacity of Engliſh enterpriſe, ever carried this moſt perilous mode of hard induſtry to the extent to which it has been puſhed by this recent people; a people who are ſtill, as it were, but in the griſtle, and not yet hardened into the bone of manhood. When I contemplate theſe things; when I know that the colonies in general owe little or nothing to any care of ours, and that they are not ſqueezed into this happy form by the conſtraints of watchful and ſuſpicious government, but that through a wiſe and ſalutary neglect, a generous nature has been ſuffered to take her own way to perfection; when I reflect upon theſe effects, when I ſee how profitable they have been to us, I feel all the pride of power ſink, and all preſumption in the wiſdom of human contrivances melt, and die away within me. My rigour relents. I pardon ſomething to the ſpirit of liberty.

I am ſenſible, Sir, that all which I have aſſerted, in my detail, is admitted in the groſs; but that quite a different concluſion is drawn from it. America, gentlemen ſay, is a noble object. It is an object well worth fighting for. Certainly it is, if fighting a people be the beſt way of gaining them. Gentlemen in this reſpect will be led to their choice of means by their complexions and their

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their habits. Thoſe who underſtand the military art, will of courſe have ſome predilection for it. Thoſe who wield the thunder of the ſtate, may have more confidence in the efficacy of arms. But I confeſs, poſſibly for want of this knowledge, my opinion is much more in favour of prudent management, than of force; conſidering force not as an odious, but a feeble inſtrument, for preſerving a people ſo numerous, ſo active, ſo growing, ſo ſpirited as this, in a profitable and ſubordinate connection with us.

First, Sir, permit me to obſerve, that the uſe of force alone is but *temporary*. It may ſubdue for a moment; but it does not remove the neceſſity of ſubduing again: and a nation is not governed, which is perpetually to be conquered.

My next objection is its *uncertainty*. Terror is not always the effect of force; and an armament is not a victory. If you do not ſuccceed, you are without reſource; for, conciliation failing, force remains; but, force failing, no further hope of reconciliation is left. Power and authority are ſometimes bought by kindneſs; but they can never be begged as alms, by an impoveriſhed and defeated violence.

A further objection to force is, that you *impair the object* by your very endeavours to preſerve it. The thing you fought for is not the thing which you

you recover; but depreciated, ſunk, waſted, and conſumed in the conteſt. Nothing leſs will content me, than *whole America*. I do not chooſe to conſume its ſtrength along with our own; becauſe in all parts it is the Britiſh ſtrength that I conſume. I do not chooſe to be caught by a foreign enemy at the end of this exhauſting conflict; and ſtill leſs in the midſt of it. I may eſcape; but I can make no inſurance againſt ſuch an event. Let me add, that I do not chooſe wholly to break the American ſpirit, becauſe it is the ſpirit that has made the country.

Laſtly, we have no ſort of *experience* in favour of force as an inſtrument in the rule of our colonies. Their growth and their utility has been owing to methods altogether different. Our ancient indulgence has been ſaid to be purſued to a fault. It may be ſo. But we know, if feeling is evidence, that our fault was more tolerable than our attempt to mend it; and our ſin far more ſalutary than our penitence.

Theſe, Sir, are my reaſons for not entertaining that high opinion of untried force, by which many gentlemen, for whoſe ſentiments in other particulars I have great reſpect, ſeem to be ſo greatly captivated. But there is ſtill behind a third conſideration concerning this object, which ſerves to determine my opinion on the ſort of policy which ought

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ought to be purſued in the management of America, even more than its population and its commerce, I mean its *temper and character*.

In this character of the Americans, a love of freedom is the predominating feature which marks and diſtinguiſhes the whole: and as an ardent is always a jealous affection, your colonies become ſuſpicious, reſtive, and untractable, whenever they ſee the leaſt attempt to wreſt from them by force, or ſhuffle from them by chicane, what they think the only advantage worth living for. This fierce ſpirit of liberty is ſtronger in the Engliſh colonies probably than in any other people of the earth; and this from a great variety of powerful cauſes; which, to underſtand the true temper of their minds, and the direction which this ſpirit takes, it will not be amiſs to lay open ſomewhat more largely.

Firſt, the people of the colonies are deſcendents of Engliſhmen. England, Sir, is a nation, which ſtill I hope reſpects, and formerly adored, her freedom. The coloniſts emigrated from you, when this part of your character was moſt predominant; and they took this bias and direction the moment they parted from your hands. They are therefore not only devoted to liberty, but to liberty according to Engliſh ideas, and on Engliſh principles. Abſtract liberty, like other mere abſtractions, is not to be found. Liberty inheres in



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ſome ſenſible object; and every nation has formed to itſelf ſome favourite point, which by way of eminence becomes the criterion of their happineſs. It happened, you know, Sir, that the great conteſts for freedom in this country were from the earlieſt times chiefly upon the queſtion of taxing. Moſt of the conteſts in the ancient commonwealths turned primarily on the right of election of magiſtrates; or on the balance among the ſeveral orders of the ſtate. The queſtion of money was not with them ſo immediate. But in England it was otherwiſe. On this point of taxes the ableſt pens, and moſt eloquent tongues, have been exerciſed; the greateſt ſpirits have acted and ſuffered. In order to give the fulleſt ſatisfaction concerning the importance of this point, it was not only neceſſary for thoſe who in argument defended the excellence of the Engliſh conſtitution, to inſiſt on this privilege of granting money as a dry point of fact, and to prove, that the right had been acknowledged in ancient parchments, and blind uſages, to reſide in a certain body called an houſe of commons. They went much further; they attempted to prove, and they ſucceeded, that in theory it ought to be ſo, from the particular nature of a houſe of commons, as an immediate repreſentative of the people; whether the old records had delivered this oracle or not. They took infinite pains to inculcate, as a fundamental principle, that,

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that, in all monarchies, the people muſt in effect themſelves mediately or immediately poſſeſs the power of granting their own money, or no ſhade of liberty could ſubſiſt. The colonies draw from you, as with their life-blood, theſe ideas and principles. Their love of liberty, as with you, fixed and attached on this ſpecifick point of taxing. Liberty might be ſafe, or might be endangered in twenty other particulars, without their being much pleaſed or alarmed. Here they felt its pulſe; and as they found that beat, they thought themſelves ſick or ſound. I do not ſay whether they were right or wrong in applying your general arguments to their own caſe. It is not eaſy indeed to make a monopoly of theorems and corollaries. The fact is, that they did thus apply thoſe general arguments; and your mode of governing them, whether through lenity or indolence, through wiſdom or miſtake, confirmed them in the imagination, that they, as well as you, had an intereſt in theſe common principles.

They were further confirmed in this pleaſing error, by the form of their provincial legiſlative aſſemblies. Their governments are popular in an high degree; ſome are merely popular; in all, the popular repreſentative is the moſt weighty; and this ſhare of the people in their ordinary government never fails to inſpire them with lofty ſenti-



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ments, and with a ſtrong averſion from whatever tends to deprive them of their chief importance. If any thing were wanting to this neceſſary operation of the form of government, religion would have given it a complete effect. Religion, always a principle of energy, in this new people, is no way worn out or impaired; and their mode of profeſſing it is alſo one main cauſe of this free ſpirit. The people are proteſtants; and of that kind, which is the moſt adverſe to all implicit ſubmiſſion of mind and opinion. This is a perſuaſion not only favourable to liberty, but built upon it. I do not think, Sir, that the reaſon of this averſeneſs in the diſſenting churches from all that looks like abſolute government is ſo much to be ſought in their religious tenets, as in their hiſtory. Every one knows that the Roman Catholick religion is at leaſt coeval with moſt of the governments where it prevails; that it has generally gone hand in hand with them; and received great favour and every kind of ſupport from authority. The church of England too was formed from her cradle under the nurſing care of regular government. But the diſſenting intereſts have ſprung up in direct oppoſition to all the ordinary powers of the world; and could juſtify that oppoſition only on a ſtrong claim to natural liberty. Their very exiſtence depended on the powerful and unremitted aſſertion of that claim. All proteſtantiſm, even the moſt cold and paſſive,

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paſſive, is a ſort of diſſent. But the religion moſt prevalent in our northern colonies is a refinement on the principle of reſiſtance; it is the diſſidence of diſſent; and the proteſtantiſm of the proteſtant religion. This religion, under a variety of denominations, agreeing in nothing but in the communion of the ſpirit of liberty, is predominant in moſt of the northern provinces; where the church of England, notwithſtanding its legal rights, is in reality no more than a ſort of private ſect, not compoſing moſt probably the tenth of the people. The coloniſts left England when this ſpirit was high; and in the emigrants was the higheſt of all: and even that ſtream of foreigners, which has been conſtantly flowing into theſe colonies, has, for the greateſt part, been compoſed of diſſenters from the eſtabliſhments of their ſeveral countries, and have brought with them a temper and character far from alien to that of the people with whom they mixed.

Sir, I can perceive by their manner, that ſome gentlemen object to the latitude of this deſcription; becauſe in the ſouthern colonies the church of England forms a large body, and has a regular eſtabliſhment. It is certainly true. There is however a circumſtance attending theſe colonies, which, in my opinion, fully counterbalances this difference, and makes the ſpirit of liberty ſtill more high and haughty than in thoſe to the northward. It is that in Virginia and the Carolinas, they have



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a vaſt multitude of ſlaves. Where this is the caſe in any part of the world, thoſe who are free, are by far the moſt proud and jealous of their freedom. Freedom is to them not only an enjoyment, but a kind of rank and privilege. Not ſeeing there, that freedom, as in countries where it is a common bleſſing, and as broad and general as the air, may be united with much abject toil, with great miſery, with all the exterior of ſervitude, liberty looks, amongſt them, like ſomething that is more noble and liberal. I do not mean, Sir, to commend the ſuperiour morality of this ſentiment, which has at leaſt as much pride as virtue in it; but I cannot alter the nature of man. The fact is ſo; and theſe people of the ſouthern colonies are much more ſtrongly, and with an higher and more ſtubborn ſpirit, attached to liberty than thoſe to the northward. Such were all the ancient commonwealths; ſuch were our Gothick anceſtors; ſuch in our days were the Poles; and ſuch will be all maſters of ſlaves, who are not ſlaves themſelves. In ſuch a people the haughtineſs of domination combines with the ſpirit of freedom, fortifies it, and renders it invincible.

Permit me, Sir, to add another circumſtance in our colonies, which contributes no mean part towards the growth and effect of this untractable ſpirit. I mean their education. In no country perhaps in the world is the law ſo general a ſtudy. The

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The profeſſion itſelf is numerous and powerful; and in moſt provinces it takes the lead. The greater number of the deputies ſent to the congreſs were lawyers. But all who read, and moſt do read, endeavour to obtain ſome ſmattering in that ſcience. I have been told by an eminent bookſeller, that in no branch of his buſineſs, after tracts of popular devotion, were ſo many books as thoſe on the law exported to the plantations. The coloniſts have now fallen into the way of printing them for their own uſe. I hear that they have ſold nearly as many of Blackſtone's Commentaries in America as in England. General Gage marks out this diſpoſition very particularly in a letter on your table. He ſtates, that all the people in his government are lawyers, or ſmatterers in law; and that in Boſton they have been enabled, by ſucceſsful chicane, wholly to evade many parts of one of your capital penal conſtitutions. The ſmartneſs of debate will ſay, that this knowledge ought to teach them more clearly the rights of legiſlature, their obligations to obedience, and the penalties of rebellion. All this is mighty well. But my * honourable and learned friend on the floor, who condeſcends to mark what I ſay for animadverſion, will diſdain that ground. He has heard, as well as I, that when great honours and great emoluments do not win over this knowledge to the

* The Attorney General.



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ſervice of the ſtate, it is a formidable adverſary to government. If the ſpirit be not tamed and broken by theſe happy methods, it is ſtubborn and litigious. *Abeunt ſtudia in mores.* This ſtudy renders men acute, inquiſitive, dexterous, prompt in attack, ready in defence, full of reſources. In other countries, the people, more ſimple, and of a leſs mercurial caſt, judge of an ill principle in government only by an actual grievance; here they anticipate the evil, and judge of the preſſure of the grievance by the badneſs of the principle. They augur miſgovernment at a diſtance; and ſnuff the approach of tyranny in every tainted breeze.

The laſt cauſe of this diſobedient ſpirit in the colonies is hardly leſs powerful than the reſt, as it is not merely moral, but laid deep in the natural conſtitution of things. Three thouſand miles of ocean lie between you and them. No contrivance can prevent the effect of this diſtance, in weakening government. Seas roll, and months paſs, between the order and the execution: and the want of a ſpeedy explanation of a ſingle point, is enough to defeat a whole ſyſtem. You have, indeed, winged miniſters of vengeance, who carry your bolts in their pounces to the remoteſt verge of the ſea. But there a power ſteps in, that limits the arrogance of raging paſſions and furious elements, and ſays, "So far ſhalt thou go, and no farther." Who are you, that ſhould fret and rage, and bite

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the chains of nature?—Nothing worſe happens to you, than does to all nations, who have extenſive empire; and it happens in all the forms into which empire can be thrown. In large bodies, the circulation of power muſt be leſs vigorous at the extremities. Nature has ſaid it. The Turk cannot govern Ægypt, and Arabia, and Curdiſtan, as he governs Thrace; nor has he the ſame dominion in Crimea and Algiers, which he has at Bruſa and Smyrna. Deſpotiſm itſelf is obliged to truck and huckſter. The Sultan gets ſuch obedience as he can. He governs with a looſe rein, that he may govern at all; and the whole of the force and vigour of his authority in his centre, is derived from a prudent relaxation in all his borders. Spain, in her provinces, is, perhaps, not ſo well obeyed, as you are in yours. She complies too; ſhe ſubmits; ſhe watches times. This is the immutable condition, the eternal law, of extenſive and detached empire.

Then, Sir, from theſe ſix capital ſources; of deſcent; of form of government; of religion in the northern provinces; of manners in the ſouthern; of education; of the remoteneſs of ſituation from the firſt mover of government; from all theſe cauſes a fierce ſpirit of liberty has grown up. It has grown with the growth of the people in your colonies, and increaſed with the increaſe of their wealth; a ſpirit, that unhappily meeting

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meeting with an exercise of power in England, which, however lawful, is not reconcileable to any ideas of liberty, much less with theirs, has kindled this flame, that is ready to consume us.

I do not mean to commend either the spirit in this excess, or the moral causes which produce it. Perhaps a more smooth and accommodating spirit of freedom in them would be more acceptable to us. Perhaps ideas of liberty might be desired, more reconcileable with an arbitrary and boundless authority. Perhaps we might wish the colonists to be persuaded, that their liberty is more secure when held in trust for them by us (as their guardians during a perpetual minority) than with any part of it in their own hands. But the question is, not whether their spirit deserves praise or blame;—what, in the name of God, shall we do with it? You have before you the object; such as it is, with all its glories, with all its imperfections on its head. You see the magnitude; the importance; the temper; the habits; the disorders. By all these considerations, we are strongly urged to determine something concerning it. We are called upon to fix some rule and line for our future conduct, which may give a little stability to our politicks, and prevent the return of such unhappy deliberations as the present. Every such return will bring the matter before us in a still more untractable form. For, what astonishing and incredible

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dible things have we not ſeen already? What monſters have not been generated from this unnatural contention? Whilſt every principle of authority and reſiſtance has been puſhed, upon both ſides, as far as it would go, there is nothing ſo ſolid and certain, either in reaſoning or in practice, that has not been ſhaken. Until very lately, all authority in America ſeemed to be nothing but an emanation from yours. Even the popular part of the colony conſtitution derived all its activity, and its firſt vital movement, from the pleaſure of the crown. We thought, Sir, that the utmoſt which the diſcontented coloniſts could do, was to diſturb authority; we never dreamt they could of themſelves ſupply it; knowing in general what an operoſe buſineſs it is, to eſtabliſh a government abſolutely new. But having, for our purpoſes in this contention, reſolved, that none but an obedient aſſembly ſhould ſit, the humours of the people there, finding all paſſage through the legal channel ſtopped, with great violence broke out another way. Some provinces have tried their experiment, as we have tried ours; and theirs has ſucceeded. They have formed a government ſufficient for its purpoſes, without the buſtle of a revolution, or the troubleſome formality of an election. Evident neceſſity, and tacit conſent, have done the buſineſs in an inſtant. So well they have done it, that Lord Dunmore (the account is among

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among the fragments on your table) tells you, that the new inſtitution is infinitely better obeyed than the ancient government ever was in its moſt fortunate periods. Obedience is what makes government, and not the names by which it is called; not the name of governour, as formerly, or committee, as at preſent. This new government has originated directly from the people; and was not tranſmitted through any of the ordinary artificial media of a poſitive conſtitution. It was not a manufacture ready formed, and tranſmitted to them in that condition from England. The evil ariſing from hence is this; that the coloniſts having once found the poſſibility of enjoying the advantages of order, in the midſt of a ſtruggle for liberty, ſuch ſtruggles will not henceforward ſeem ſo terrible to the ſettled and ſober part of mankind, as they had appeared before the trial.

Purſuing the ſame plan of puniſhing by the denial of the exerciſe of government to ſtill greater lengths, we wholly abrogated the ancient government of Maſſachuſet. We were confident, that the firſt feeling, if not the very proſpect of anarchy, would inſtantly enforce a complete ſubmiſſion. The experiment was tried. A new, ſtrange, unexpected face of things appeared. Anarchy is found tolerable. A vaſt province has now ſubſiſted, and ſubſiſted in a conſiderable degree of health and vigour, for near a twelvemonth, without governour,

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vernour, without publick council, without judges, without executive magiſtrates. How long it will continue in this ſtate, or what may ariſe out of this unheard-of ſituation, how can the wiſeſt of us conjecture? Our late experience has taught us, that many of thoſe fundamental principles, formerly believed infallible, are either not of the importance they were imagined to be; or that we have not at all adverted to ſome other far more important, and far more powerful principles, which entirely over-rule thoſe we had conſidered as omnipotent. I am much againſt any further experiments, which tend to put to the proof any more of theſe allowed opinions, which contribute ſo much to the publick tranquillity. In effect, we ſuffer as much at home, by this looſening of all ties, and this concuſſion of all eſtabliſhed opinions, as we do abroad. For, in order to prove that the Americans have no right to their liberties, we are every day endeavouring to ſubvert the maxims which preſerve the whole ſpirit of our own. To prove that the Americans ought not to be free, we are obliged to depreciate the value of freedom itſelf; and we never ſeem to gain a paltry advantage over them in debate, without attacking ſome of thoſe principles, or deriding ſome of thoſe feelings, for which our anceſtors have ſhed their blood.

But, Sir, in wiſhing to put an end to pernicious experiments,

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experiments, I do not mean to preclude the fullest inquiry. Far from it. Far from deciding on a ſudden or partial view, I would patiently go round and round the ſubject, and ſurvey it minutely in every poſſible aſpect. Sir, if I were capable of engaging you to an equal attention, I would ſtate, that, as far as I am capable of diſcerning, there are but three ways of proceeding relative to this ſtubborn ſpirit, which prevails in your colonies, and diſturbs your government. Theſe are—To change that ſpirit, as inconvenient, by removing the cauſes. To proſecute it as criminal. Or, to comply with it as neceſſary. I would not be guilty of an imperfect enumeration; I can think of but theſe three. Another has indeed been ſtarted, that of giving up the colonies; but it met ſo ſlight a reception, that I do not think myſelf obliged to dwell a great while upon it. It is nothing but a little ſally of anger, like the frowardneſs of peeviſh children, who, when they cannot get all they would have, are reſolved to take nothing.

The firſt of theſe plans, to change the ſpirit as inconvenient, by removing the cauſes, I think is the moſt like a ſyſtematick proceeding. It is radical in its principle; but it is attended with great difficulties, ſome of them little ſhort, as I conceive, of impoſſibilities. This will appear by examining into the plans which have been propoſed.

As the growing population of the colonies is evidently

evidently one cauſe of their reſiſtance, it was laſt ſeſſion mentioned in both houſes, by men of weight, and received not without applauſe, that, in order to check this evil, it would be proper for the crown to make no further grants of land. But to this ſcheme there are two objections. The firſt, that there is already ſo much unſettled land in private hands, as to afford room for an immenſe future population, although the crown not only withheld its grants, but annihilated its ſoil. If this be the caſe, then the only effect of this avarice of deſolation, this hoarding of a royal wilderneſs, would be to raiſe the value of the poſſeſſions in the hands of the great private monopoliſts, without any adequate check to the growing and alarming miſchief of population.

But if you ſtopped your grants, what would be the conſequence? The people would occupy without grants. They have already ſo occupied in many places. You cannot ſtation garriſons in every part of theſe deſerts. If you drive the people from one place, they will carry on their annual tillage, and remove with their flocks and herds to another. Many of the people in the back ſettlements are already little attached to particular ſituations. Already they have topped the Apalachian mountains. From thence they behold before them an immenſe plain, one vaſt, rich, level meadow; a ſquare of five hundred miles. Over this they would

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would wander, without a poſſibility of reſtraint; they would change their manners with the habits of their life; would ſoon forget a government, by which they were diſowned; would become hordes of Engliſh Tartars; and, pouring down upon your unfortified frontiers a fierce and irreſiſtible cavalry, become maſters of your governours and your counſellors, your collectors and comptrollers, and of all the ſlaves that adhered to them. Such would, and, in no long time, muſt be, the effect of attempting to forbid as a crime, and to ſuppreſs as an evil, the command and bleſſing of Providence, "Increaſe and multiply." Such would be the happy reſult of an endeavour to keep as a lair of wild beaſts, that earth, which God, by an expreſs charter, has given to the children of men. Far different, and ſurely much wiſer, has been our policy hitherto. Hitherto we have invited our people by every kind of bounty, to fixed eſtabliſhments. We have invited the huſbandman to look to authority for his title. We have taught him piouſly to believe in the myſterious virtue of wax and parchment. We have thrown each tract of land, as it was peopled, into diſtricts; that the ruling power ſhould never be wholly out of ſight. We have ſettled all we could; and we have carefully attended every ſettlement with government.

Adhering, Sir, as I do, to this policy, as well as for the reaſons I have juſt given, I think this new

project

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project of hedging-in population to be neither prudent nor practicable.

To impoverish the colonies in general, and in particular to arrest the noble course of their marine enterprises, would be a more easy task. I freely confess it. We have shewn a disposition to a system of this kind; a disposition even to continue the restraint after the offence; looking on ourselves as rivals to our colonies, and persuaded that of course we must gain all that they shall lose. Much mischief we may certainly do. The power inadequate to all other things is often more than sufficient for this. I do not look on the direct and immediate power of the colonies to resist our violence, as very formidable. In this, however, I may be mistaken. But when I consider, that we have colonies for no purpose but to be serviceable to us, it seems to my poor understanding a little preposterous, to make them unserviceable, in order to keep them obedient. It is, in truth, nothing more than the old, and, as I thought, exploded problem of tyranny, which proposes to beggar its subjects into submission. But remember, when you have completed your system of impoverishment, that nature still proceeds in her ordinary course; that discontent will increase with misery; and that there are critical moments in the fortune of all states, when they who are too weak to con-



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tribute to your prosperity, may be strong enough to complete your ruin. *Spoliatis arma supersunt.*

The temper and character, which prevail in our colonies, are, I am afraid, unalterable by any human art. We cannot, I fear, falsify the pedigree of this fierce people, and persuade them that they are not sprung from a nation, in whose veins the blood of freedom circulates. The language in which they would hear you tell them this tale, would detect the imposition; your speech would betray you. An Englishman is the unfittest person on earth to argue another Englishman into slavery.

I think it is nearly as little in our power to change their republican religion, as their free descent; or to substitute the Roman Catholick, as a penalty; or the Church of England, as an improvement. The mode of inquisition and dragooning is going out of fashion in the old world; and I should not confide much to their efficacy in the new. The education of the Americans is also on the same unalterable bottom with their religion. You cannot persuade them to burn their books of curious science; to banish their lawyers from the courts of law; or to quench the lights of their assemblies, by refusing to choose those persons who are best read in their privileges. It would be no less impracticable to think of wholly annihilating

annihilating the popular aſſemblies, in which theſe lawyers ſit. The army, by which we muſt govern in their place, would be far more chargeable to us; not quite ſo effectual; and perhaps, in the end, full as difficult to be kept in obedience.

With regard to the high ariſtocratick ſpirit of Virginia and the ſouthern colonies, it has been propoſed, I know, to reduce it, by declaring a general enfranchiſement of their ſlaves. This project has had its advocates and panegyriſts; yet I never could argue myſelf into any opinion of it. Slaves are often much attached to their maſters. A general wild offer of liberty, would not always be accepted. Hiſtory furniſhes few inſtances of it. It is ſometimes as hard to perſuade ſlaves to be free, as it is to compel freemen to be ſlaves: and in this auſpicious ſcheme, we ſhould have both theſe pleaſing taſks on our hands at once. But when we talk of enfranchiſement, do we not perceive that the American maſter may enfranchiſe too; and arm ſervile hands in defence of freedom? A meaſure to which other people have had recourſe more than once, and not without ſucceſs, in a deſperate ſituation of their affairs.

Slaves as theſe unfortunate black people are, and dull as all men are from ſlavery, muſt they not a little ſuſpect the offer of freedom from that very nation which has ſold them to their preſent maſters? From that nation, one of whoſe cauſes of



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quarrel with thoſe maſters, is their refuſal to deal any more in that inhuman traffick? An offer of freedom from England, would come rather oddly, ſhipped to them in an African veſſel, which is refuſed an entry into the ports of Virginia or Carolina, with a cargo of three hundred Angola negroes. It would be curious to ſee the Guinea captain attempting at the ſame inſtant to publiſh his proclamation of liberty, and to advertiſe his ſale of ſlaves.

But let us ſuppoſe all theſe moral difficulties got over. The ocean remains. You cannot pump this dry; and as long as it continues in its preſent bed, ſo long all the cauſes which weaken authority by diſtance will continue. "Ye gods, annihilate "but ſpace and time, and make two lovers "happy!"—was a pious and paſſionate prayer; —but juſt as reaſonable, as many of the ſerious wiſhes of very grave and ſolemn politicians.

If then, Sir, it ſeems almoſt deſperate to think of any alterative courſe, for changing the moral cauſes (and not quite eaſy to remove the natural) which produce prejudices irreconcileable to the late exerciſe of our authority; but that the ſpirit infallibly will continue; and, continuing, will produce ſuch effects, as now embarraſs us; the ſecond mode under conſideration is, to proſecute that ſpirit in its overt acts, as *criminal*.

At this propoſition, I muſt pauſe a moment. The

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The thing ſeems a great deal too big for my ideas of juriſprudence. It ſhould ſeem, to my way of conceiving ſuch matters, that there is a very wide difference in reaſon and policy, between the mode of proceeding on the irregular conduct of ſcattered individuals, or even of bands of men, who diſturb order within the ſtate, and the civil diſſentions which may, from time to time, on great queſtions, agitate the ſeveral communities which compoſe a great empire. It looks to me to be narrow and pedantick, to apply the ordinary ideas of criminal juſtice to this great publick conteſt. I do not know the method of drawing up an indictment againſt an whole people. I cannot inſult and ridicule the feelings of millions of my fellow creatures, as Sir Edward Coke inſulted one excellent individual (Sir Walter Raleigh) at the bar. I am not ripe to paſs ſentence on the graveſt publick bodies, entruſted with magiſtracies of great authority and dignity, and charged with the ſafety of their fellow-citizens, upon the very ſame title that I am. I really think, that for wiſe men this is not judicious; for ſober men, not decent; for minds tinctured with humanity, not mild and merciful.

Perhaps, Sir, I am miſtaken in my idea of an empire, as diſtinguiſhed from a ſingle ſtate or kingdom. But my idea of it is this; that an empire is the aggregate of many ſtates, under one common head; whether this head be a monarch,



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or a preſiding republick. It does, in ſuch conſtitutions, frequently happen (and nothing but the diſmal, cold, dead uniformity of ſervitude can prevent its happening) that the ſubordinate parts have many local privileges and immunities. Between theſe privileges, and the ſupreme common authority, the line may be extremely nice. Of courſe diſputes, often too, very bitter diſputes, and much ill blood, will ariſe. But though every privilege is an exemption (in the caſe) from the ordinary exerciſe of the ſupreme authority, it is no denial of it. The claim of a privilege ſeems rather *ex vi termini*, to imply a ſuperiour power. For to talk of the privileges of a ſtate or of a perſon, who has no ſuperiour, is hardly any better than ſpeaking nonſenſe. Now, in ſuch unfortunate quarrels, among the component parts of a great political union of communities, I can ſcarcely conceive any thing more completely imprudent, than for the head of the empire to inſiſt, that, if any privilege is pleaded againſt his will, or his acts, that his whole authority is denied; inſtantly to proclaim rebellion, to beat to arms, and to put the offending provinces under the ban. Will not this, Sir, very ſoon teach the provinces to make no diſtinctions on their part? Will it not teach them that the government, againſt which a claim of liberty is tantamount to high treaſon, is a government to which ſubmiſſion is equivalent to ſlavery?

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ſlavery? It may not always be quite convenient to impreſs dependent communities with ſuch an idea.

We are indeed, in all diſputes with the colonies, by the neceſſity of things, the judge. It is true, Sir. But I confeſs, that the character of judge in my own cauſe, is a thing that frightens me. Inſtead of filling me with pride, I am exceedingly humbled by it. I cannot proceed with a ſtern, aſſured, judicial confidence, until I find myſelf in ſomething more like a judicial character. I muſt have theſe heſitations as long as I am compelled to recollect, that, in my little reading upon ſuch conteſts as theſe, the ſenſe of mankind has, at leaſt, as often decided againſt the ſuperiour as the ſubordinate power. Sir, let me add too, that the opinion of my having ſome abſtract right in my favour would not put me much at my eaſe in paſſing ſentence; unleſs I could be ſure, that there were no rights which, in their exerciſe under certain circumſtances, were not the moſt odious of all wrongs, and the moſt vexatious of all injuſtice. Sir, theſe conſiderations have great weight with me, when I find things ſo circumſtanced, that I ſee the ſame party, at once a civil litigant againſt me in point of right, and a culprit before me; while I ſit as criminal judge, on acts of his, whoſe moral quality is to be decided upon the merits of that very litigation. Men are every now and then



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put, by the complexity of human affairs, into ſtrange ſituations; but juſtice is the ſame, let the judge be in what ſituation he will.

There is, Sir, alſo a circumſtance which convinces me, that this mode of criminal proceeding is not (at leaſt in the preſent ſtage of our conteſt) altogether expedient; which is nothing leſs than the conduct of thoſe very perſons who have ſeemed to adopt that mode, by lately declaring a rebellion in Maſſachuſet's Bay, as they had formerly addreſſed to have traitors brought hither under an act of Henry the Eighth, for trial. For though rebellion is declared, it is not proceeded againſt as ſuch; nor have any ſteps been taken towards the apprehenſion or conviction of any individual offender, either on our late or our former addreſs; but modes of public coercion have been adopted, and ſuch as have much more reſemblance to a ſort of qualified hoſtility towards an independent power than the puniſhment of rebellious ſubjects. All this ſeems rather inconſiſtent; but it ſhews how difficult it is to apply theſe juridical ideas to our preſent caſe.

In this ſituation, let us ſeriouſly and coolly ponder. What is it we have got by all our menaces, which have been many and ferocious? What advantage have we derived from the penal laws we have paſſed, and which, for the time, have been ſevere and numerous? What advances have we made

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made towards our object, by the ſending of a force, which, by land and ſea, is no contemptible ſtrength? Has the diſorder abated? Nothing leſs.—When I ſee things in this ſituation, after ſuch confident hopes, bold promiſes, and active exertions, I cannot, for my life, avoid a ſuſpicion, that the plan itſelf is not correctly right.

If then the removal of the cauſes of this ſpirit of American liberty be, for the greater part, or rather entirely, impracticable; if the ideas of criminal proceſs be inapplicable, or, if applicable, are in the higheſt degree inexpedient, what way yet remains? No way is open, but the third and laſt—to comply with the American ſpirit as neceſſary; or, if you pleaſe to ſubmit to it, as a neceſſary evil.

If we adopt this mode; if we mean to conciliate and concede; let us ſee of what nature the conceſſion ought to be: to aſcertain the nature of our conceſſion, we muſt look at their complaint. The colonies complain, that they have not the characteriſtick mark and ſeal of Britiſh freedom. They complain, that they are taxed in a parliament, in which they are not repreſented. If you mean to ſatisfy them at all, you muſt ſatisfy them with regard to this complaint. If you mean to pleaſe any people, you muſt give them the boon which they aſk; not what you may think better for them, but of a kind totally different. Such an act

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act may be a wise regulation, but it is no concession; whereas our present theme is the mode of giving satisfaction.

Sir, I think you must perceive, that I am resolved this day to have nothing at all to do with the question of the right of taxation. Some gentlemen startle—but it is true: I put it totally out of the question. It is less than nothing in my consideration. I do not indeed wonder, nor will you, Sir, that gentlemen of profound learning are fond of displaying it on this profound subject. But my consideration is narrow, confined, and wholly limited to the policy of the question. I do not examine, whether the giving away a man's money be a power excepted and reserved out of the general trust of government; and how far all mankind, in all forms of polity, are entitled to an exercise of that right by the charter of nature. Or whether, on the contrary, a right of taxation is necessarily involved in the general principle of legislation, and inseparable from the ordinary supreme power. These are deep questions, where great names militate against each other; where reason is perplexed; and an appeal to authorities only thickens the confusion. For high and reverend authorities lift up their heads on both sides; and there is no sure footing in the middle. This point is the *great Serbonian bog, betwixt Damiata and Mount Casius old, where armies whole have sunk.* I do

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do not intend to be overwhelmed in that bog, though in ſuch reſpectable company. The queſtion with me is, not whether you have a right to render your people miſerable; but whether it is not your intereſt to make them happy. It is not, what a lawyer tells me, I *may* do; but what humanity, reaſon, and juſtice, tell me, I ought to do. Is a politick act the worſe for being a generous one? Is no conceſſion proper, but that which is made from your want of right to keep what you grant? Or does it leſſen the grace or dignity of relaxing in the exerciſe of an odious claim, becauſe you have your evidence-room full of titles, and your magazines ſtuffed with arms to enforce them? What ſignify all thoſe titles, and all thoſe arms? Of what avail are they, when the reaſon of the thing tells me, that the aſſertion of my title is the loſs of my ſuit; and that I could do nothing but wound myſelf by the uſe of my own weapons?

Such is ſtedfaſtly my opinion of the abſolute neceſſity of keeping up the concord of this empire by a unity of ſpirit, though in a diverſity of operations, that, if I were ſure the coloniſts had, at their leaving this country, ſealed a regular compact of ſervitude; that they had ſolemnly abjured all the rights of citizens; that they had made a vow to renounce all ideas of liberty for them and their poſterity, to all generations, yet I ſhould hold myſelf obliged to conform to the temper I found univerſally

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univerſally prevalent in my own day, and to govern two million of men, impatient of ſervitude, on the principles of freedom. I am not determining a point of law; I am reſtoring tranquillity; and the general character and ſituation of a people muſt determine what ſort of government is fitted for them. That point nothing elſe can or ought to determine.

My idea therefore, without conſidering whether we yield as matter of right, or grant as matter of favour, is *to admit the people of our colonies into an intereſt in the conſtitution*; and, by recording that admiſſion in the journals of parliament, to give them as ſtrong an aſſurance as the nature of the thing will admit, that we mean for ever to adhere to that ſolemn declaration of ſyſtematick indulgence.

Some years ago, the repeal of a revenue act, upon its underſtood principle, might have ſerved to ſhew, that we intended an unconditional abatement of the exerciſe of a taxing power. Such a meaſure was then ſufficient to remove all ſuſpicion, and to give perfect content. But unfortunate events, ſince that time, may make ſomething further neceſſary; and not more neceſſary for the ſatisfaction of the colonies, than for the dignity and conſiſtency of our own future proceedings.

I have taken a very incorrect meaſure of the diſpoſition of the houſe, if this propoſal in itſelf would

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would be received with diſlike. I think, Sir, we have few American financiers. But our misfortune is, we are too acute; we are too exquiſite in our conjectures of the future, for men oppreſſed with ſuch great and preſent evils. The more moderate among the oppoſers of parliamentary conceſſion freely confeſs, that they hope no good from taxation; but they apprehend the coloniſts have further views; and if this point were conceded, they would inſtantly attack the trade-laws. Theſe gentlemen are convinced, that this was the intention from the beginning; and the quarrel of the Americans with taxation was no more than a cloke and cover to this deſign. Such has been the language even of a * gentleman of real moderation, and of a natural temper ſo well adjuſted to fair and equal government. I am, however, Sir, not a little ſurpriſed at this kind of diſcourſe, whenever I hear it; and I am the more ſurpriſed, on account of the arguments which I conſtantly find in company with it, and which are often urged from the ſame mouths, and on the ſame day.

For inſtance, when we allege, that it is againſt reaſon to tax a people under ſo many reſtraints in trade as the Americans, the † noble Lord in the blue ribband ſhall tell you, that the reſtraints on trade are futile and uſeleſs; of no advantage to us,

* Mr. Rice. † Lord North.

and

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and of no burthen to thoſe on whom they are impoſed; that the trade to America is not ſecured by the acts of navigation, but by the natural and irreſiſtible advantage of a commercial preference.

Such is the merit of the trade laws in this poſture of the debate. But when ſtrong internal circumſtances are urged againſt the taxes; when the ſcheme is diſſected; when experience and the nature of things are brought to prove, and do prove, the utter impoſſibility of obtaining an effective revenue from the colonies; when theſe things are preſſed, or rather preſs themſelves, ſo as to drive the advocates of colony taxes to a clear admiſſion of the futility of the ſcheme; then, Sir, the ſleeping trade laws revive from their trance; and this uſeleſs taxation is to be kept ſacred, not for its own ſake, but as a counter-guard and ſecurity of the laws of trade.

Then, Sir, you keep up revenue laws which are miſchievous, in order to preſerve trade laws that are uſeleſs. Such is the wiſdom of our plan in both its members. They are ſeparately given up as of no value, and yet one is always to be defended for the ſake of the other. But I cannot agree with the noble lord, nor with the pamphlet from whence he ſeems to have borrowed theſe ideas, concerning the inutility of the trade laws. For without idolizing them, I am ſure they are ſtill, in many ways, of great uſe to us; and in former

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former times, they have been of the greateſt. They do confine, and they do greatly narrow, the market for the Americans. But my perfect conviction of this, does not help me in the leaſt to diſcern how the revenue laws form any ſecurity whatſoever to the commercial regulations; or that theſe commercial regulations are the true ground of the quarrel; or, that the giving way in any one inſtance of authority, is to loſe all that may remain unconceded.

One fact is clear and indiſputable. The publick and avowed origin of this quarrel, was on taxation. This quarrel has indeed brought on new diſputes on new queſtions; but certainly the leaſt bitter, and the feweſt of all, on the trade laws. To judge which of the two be the real radical cauſe of quarrel, we have to ſee whether the commercial diſpute did, in order of time, precede the diſpute on taxation? There is not a ſhadow of evidence for it. Next, to enable us to judge whether at this moment a diſlike to the trade laws be the real cauſe of quarrel, it is abſolutely neceſſary to put the taxes out of the queſtion by a repeal. See how the Americans act in this poſition, and then you will be able to diſcern correctly what is the true object of the controverſy, or whether any controverſy at all will remain? Unleſs you conſent to remove this cauſe of difference, it is impoſſible, with decency, to aſſert that the diſpute is not upon what

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what it is avowed to be. And I would, Sir, recommend to your ſerious conſideration, whether it be prudent to form a rule for puniſhing people, not on their own acts, but on your conjectures? Surely it is prepoſterous at the very beſt. It is not juſtifying your anger, by their miſconduct; but it is converting your ill-will into their delinquency.

But the colonies will go further.—Alas! alas! when will this ſpeculating againſt fact and reaſon end?—What will quiet theſe panick fears which we entertain of the hoſtile effect of a conciliatory conduct? Is it true, that no caſe can exiſt, in which it is proper for the ſovereign to accede to the deſires of his diſcontented ſubjects? Is there any thing peculiar in this caſe, to make a rule for itſelf? Is all authority of courſe loſt, when it is not puſhed to the extreme? Is it a certain maxim, that, the fewer cauſes of diſſatisfaction are left by government, the more the ſubject will be inclined to reſiſt and rebel?

All theſe objections being in fact no more than ſuſpicions, conjectures, divinations, formed in defiance of fact and experience; they did not, Sir, diſcourage me from entertaining the idea of a conciliatory conceſſion, founded on the principles which I have juſt ſtated.

In forming a plan for this purpoſe, I endeavoured to put myſelf in that frame of mind, which was the

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the moſt natural, and the moſt reaſonable; and which was certainly the moſt probable means of ſecuring me from all errour. I ſet out with a perfect diſtruſt of my own abilities; a total renunciation of every ſpeculation of my own; and with a profound reverence for the wiſdom of our anceſtors, who have left us the inheritance of ſo happy a conſtitution, and ſo flouriſhing an empire, and what is a thouſand times more valuable, the treaſury of the maxims and principles which formed the one, and obtained the other.

During the reigns of the kings of Spain of the Auſtrian family, whenever they were at a loſs in the Spaniſh councils, it was common for their ſtateſmen to ſay, that they ought to conſult the genius of Philip the Second. The genius of Philip the Second might miſlead them; and the iſſue of their affairs ſhewed, that they had not choſen the moſt perfect ſtandard. But, Sir, I am ſure that I ſhall not be miſled, when, in a caſe of conſtitutional difficulty, I conſult the genius of the Engliſh conſtitution. Conſulting at that oracle (it was with all due humility and piety) I found four capital examples in a ſimilar caſe before me: thoſe of Ireland, Wales, Cheſter, and Durham.

Ireland, before the Engliſh conqueſt, though never governed by a deſpotick power, had no parliament. How far the Engliſh parliament itſelf was at that time modelled according to the preſent



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form, is diſputed among antiquaries. But we have all the reaſon in the world to be aſſured, that a form of parliament, ſuch as England then enjoyed, ſhe inſtantly communicated to Ireland; and we are equally ſure that almoſt every ſucceſſive improvement in conſtitutional liberty, as faſt as it was made here, was tranſmitted thither. The feudal baronage, and the feudal knighthood, the roots of our primitive conſtitution, were early tranſplanted into that ſoil; and grew and flouriſhed there. Magna Charta, if it did not give us originally the houſe of commons, gave us at leaſt a houſe of commons of weight and conſequence. But your anceſtors did not churliſhly ſit down alone to the feaſt of Magna Charta. Ireland was made immediately a partaker. This benefit of Engliſh laws and liberties, I confeſs, was not at firſt extended to *all* Ireland. Mark the conſequence. Engliſh authority and Engliſh liberty had exactly the ſame boundaries. Your ſtandard could never be advanced an inch before your privileges. Sir John Davis ſhews beyond a doubt, that the refuſal of a general communication of theſe rights, was the true cauſe why Ireland was five hundred years in ſubduing; and after the vain projects of a military government, attempted in the reign of Queen Elizabeth, it was ſoon diſcovered, that nothing could make that country Engliſh, in civility and allegiance, but your laws and your forms

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forms of legiſlature. It was not Engliſh arms, but the Engliſh conſtitution, that conquered Ireland. From that time, Ireland has ever had a general parliament, as ſhe had before a partial parliament. You changed the people; you altered the religion; but you never touched the form or the vital ſubſtance of free government in that kingdom. You depoſed kings; you reſtored them; you altered the ſucceſſion to theirs, as well as to your own crown; but you never altered their conſtitution; the principle of which was reſpected by uſurpation; reſtored with the reſtoration of monarchy, and eſtabliſhed, I truſt, for ever, by the glorious Revolution. This has made Ireland the great and flouriſhing kingdom that it is; and from a diſgrace and a burthen intolerable to this nation, has rendered her a principal part of our ſtrength and ornament. This country cannot be ſaid to have ever formally taxed her. The irregular things done in the confuſion of mighty troubles, and on the hinge of great revolutions, even if all were done that is ſaid to have been done, form no example. If they have any effect in argument, they make an exception to prove the rule. None of your own liberties could ſtand a moment if the caſual deviations from them, at ſuch times, were ſuffered to be uſed as proofs of their nullity. By the lucrative amount of ſuch caſual breaches in the



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conſtitution, judge what the ſtated and fixed rule of ſupply has been in that kingdom. Your Iriſh penſioners would ſtarve, if they had no other fund to live on than taxes granted by Engliſh authority. Turn your eyes to thoſe popular grants from whence all your great ſupplies are come; and learn to reſpect that only ſource of publick wealth in the Britiſh empire.

My next example is Wales. This country was ſaid to be reduced by Henry the Third. It was ſaid more truly to be ſo by Edward the Firſt. But though then conquered, it was not looked upon as any part of the realm of England. Its old conſtitution, whatever that might have been, was deſtroyed; and no good one was ſubſtituted in its place. The care of that tract was put into the hands of lords marchers—a form of government of a very ſingular kind; a ſtrange heterogeneous monſter, ſomething between hoſtility and government; perhaps it has a ſort of reſemblance, according to the modes of thoſe times, to that of commander in chief at preſent, to whom all civil power is granted as ſecondary. The manners of the Welſh nation followed the genius of the government; the people were ferocious, reſtive, ſavage, and uncultivated; ſometimes compoſed, never pacified. Wales within itſelf, was in perpetual diſorder; and it kept the frontier of England

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land in perpetual alarm. Benefits from it to the ſtate, there were none. Wales was only known to England by incurſion and invaſion.

Sir, during that ſtate of things, parliament was not idle. They attempted to ſubdue the fierce ſpirit of the Welſh by all ſorts of rigorous laws. They prohibited by ſtatute the ſending all ſorts of arms into Wales, as you prohibit by proclamation (with ſomething more of doubt on the legality) the ſending arms to America. They diſarmed the Welſh by ſtatute, as you attempted, (but ſtill with more queſtion on the legality) to diſarm New England by an inſtruction. They made an act to drag offenders from Wales into England for trial, as you have done (but with more hardſhip) with regard to America. By another act, where one of the parties was an Engliſhman, they ordained, that his trial ſhould be always by Engliſh. They made acts to reſtrain trade, as you do; and they prevented the Welſh from the uſe of fairs and markets, as you do the Americans from fiſheries and foreign ports. In ſhort, when the ſtatute-book was not quite ſo much ſwelled as it is now, you find no leſs than fifteen acts of penal regulation on the ſubject of Wales.

Here we rub our hands—A fine body of precedents for the authority of parliament and the uſe of it!—I admit it fully; and pray add likewiſe to theſe precedents, that all the while, Wales rid this



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kingdom like an *incubus*; that it was an unprofitable and oppreſſive burthen; and that an Engliſhman travelling in that country could not go ſix yards from the high road without being murdered.

The march of the human mind is ſlow. Sir, it was not, until after two hundred years, diſcovered, that by an eternal law, Providence had decreed vexation to violence; and poverty to rapine. Your anceſtors did however at length open their eyes to the ill huſbandry of injuſtice. They found that the tyranny of a free people could of all tyrannies the leaſt be endured; and that laws made againſt a whole nation were not the moſt effectual methods for ſecuring its obedience. Accordingly, in the twenty-ſeventh year of Henry VIII. the courſe was entirely altered. With a preamble ſtating the entire and perfect rights of the crown of England, it gave to the Welſh all the rights and privileges of Engliſh ſubjects. A political order was eſtabliſhed; the military power gave way to the civil; the marches were turned into counties. But that a nation ſhould have a right to Engliſh liberties, and yet no ſhare at all in the fundamental ſecurity of theſe liberties, the grant of their own property, ſeemed a thing ſo incongruous; that eight years after, that is, in the thirty-fifth of that reign, a complete and not ill-proportioned repreſentation by counties and boroughs was beſtowed upon Wales,

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Wales, by act of parliament. From that moment, as by a charm, the tumults ſubſided; obedience was reſtored; peace, order, and civilization, followed in the train of liberty—When the day-ſtar of the Engliſh conſtitution had ariſen in their hearts, all was harmony within and without—

*Simul alba nautis*
*Stella refulſit,*
*Defluit ſaxis agitatus humor:*
*Concidunt venti, fugiúntque nubes:*
*Et minax (quòd ſic voluere) ponto*
*Unda recumbit.*

The very ſame year the county palatine of Cheſter received the ſame relief from its oppreſſions, and the ſame remedy to its diſorders. Before this time Cheſter was little leſs diſtempered than Wales. The inhabitants, without rights themſelves, were the fitteſt to deſtroy the rights of others; and from thence Richard II. drew the ſtanding army of archers, with which for a time he oppreſſed England. The people of Cheſter applied to parliament in a petition penned as I ſhall read to you.

"To the king our ſovereign lord, in moſt "humble wiſe ſhewn unto your excellent majeſty, "the inhabitants of your grace's county palatine "of Cheſter; That where the ſaid county palatine "of Cheſter is and hath been always hitherto ex-



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"empt, excluded and ſeparated out and from "your high court of parliament, to have any "knights and burgeſſes within the ſaid court; by "reaſon whereof the ſaid inhabitants have hither- "to ſuſtained manifold diſheriſons, loſſes, and da- "mages, as well in their lands, goods, and bodies, "as in the good, civil, and politick governance "and maintenance of the commonwealth of their "ſaid country: (2.) And for as much as the ſaid "inhabitants have always hitherto been bound by "the acts and ſtatutes made and ordained by your "ſaid highneſs, and your moſt noble progenitors, "by authority of the ſaid court, as far forth as "other counties, cities, and boroughs have been, "that have had their knights and burgeſſes within "your ſaid court of parliament, and yet have had "neither knight ne burgeſs there for the ſaid "county palatine; the ſaid inhabitants, for lack "thereof, have been oftentimes touched and "grieved with acts and ſtatutes made within the "ſaid court, as well derogatory unto the moſt "ancient juriſdictions, liberties and privileges of "your ſaid county palatine, as prejudicial unto "the common wealth, quietneſs, reſt, and peace "of your grace's moſt bounden ſubjects inhabit- "ing within the ſame."

What did parliament with this audacious addreſs?—Reject it as a libel? Treat it as an affront to government? Spurn it as a derogation from the

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the rights of legiſlature? Did they toſs it over the table? Did they burn it by the hands of the common hangman?—They took the petition of grievance, all rugged as it was, without ſoftening or temperament, unpurged of the original bitterneſs and indignation of complaint; they made it the very preamble to their act of redreſs; and conſecrated its principle to all ages in the ſanctuary of legiſlation.

Here is my third example. It was attended with the ſucceſs of the two former. Cheſter, civiliſed as well as Wales, has demonſtrated that freedom and not ſervitude is the cure of anarchy; as religion, and not atheiſm, is the true remedy for ſuperſtition. Sir, this pattern of Cheſter was followed in the reign of Charles II. with regard to the county palatine of Durham, which is my fourth example. This county had long lain out of the pale of free legiſlation. So ſcrupulouſly was the example of Cheſter followed, that the ſtyle of the preamble is nearly the ſame with that of the Cheſter act; and without affecting the abſtract extent of the authority of parliament, it recognizes the equity of not ſuffering any conſiderable diſtrict in which the Britiſh ſubjects may act as a body, to be taxed without their own voice in the grant.

Now if the doctrines of policy contained in theſe preambles,

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preambles, and the force of theſe examples in the acts of parliaments, avail any thing, what can be ſaid againſt applying them with regard to America? Are not the people of America as much Engliſhmen as the Welſh? The preamble of the act of Henry VIII. ſays, the Welſh ſpeak a language no way reſembling that of his majeſty's Engliſh ſubjects. Are the Americans not as numerous? If we may truſt the learned and accurate Judge Barrington's account of North Wales, and take that as a ſtandard to meaſure the reſt, there is no compariſon. The people cannot amount to above 200,000; not a tenth part of the number in the colonies. Is America in rebellion? Wales was hardly ever free from it. Have you attempted to govern America by penal ſtatutes? You made fifteen for Wales. But your legiſlative authority is perfect with regard to America; was it leſs perfect in Wales, Cheſter, and Durham? But America is virtually repreſented. What! does the electrick force of virtual repreſentation more eaſily paſs over the Atlantick, than pervade Wales, which lies in your neighbourhood; or than Cheſter and Durham, ſurrounded by abundance of repreſentation that is actual and palpable? But, Sir, your anceſtors thought this ſort of virtual repreſentation, however ample, to be totally inſufficient for the freedom of the inhabitants of territories that are

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ſo near, and comparatively ſo inconſiderable. How then can I think it ſufficient for thoſe which are infinitely greater, and infinitely more remote?

You will now, Sir, perhaps imagine, that I am on the point of propoſing to you a ſcheme for a repreſentation of the colonies in parliament. Perhaps I might be inclined to entertain ſome ſuch thought; but a great flood ſtops me in my courſe. *Oppoſuit natura*—I cannot remove the eternal barriers of the creation. The thing in that mode, I do not know to be poſſible. As I meddle with no theory, I do not abſolutely aſſert the impracticability of ſuch a repreſentation. But I do not ſee my way to it; and thoſe who have been more confident, have not been more ſucceſsful. However, the arm of publick benevolence is not ſhortened; and there are often ſeveral means to the ſame end. What nature has disjoined in one way, wiſdom may unite in another. When we cannot give the benefit as we would wiſh, let us not refuſe it altogether. If we cannot give the principal, let us find a ſubſtitute. But how? Where? What ſubſtitute?

Fortunately I am not obliged for the ways and means of this ſubſtitute to tax my own unproductive invention. I am not even obliged to go to the rich treaſury of the fertile framers of imaginary commonwealths; not to the Republick of Plato, not to the Utopia of More; not to the Oceana

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Oceana of Harrington. It is before me—It is at my feet, *and the rude ſwain treads daily on it with his clouted ſhoon.* I only wiſh you to recognize, for the theory, the ancient conſtitutional policy of this kingdom with regard to repreſentation, as that policy has been declared in acts of parliament; and, as to the practice, to return to that mode which an uniform experience has marked out to you, as beſt; and in which you walked with ſecurity, advantage, and honour, until the year 1763.

My reſolutions therefore mean to eſtabliſh the equity, and juſtice of a taxation of America, by *grant*, and not by *impoſition*. To mark the *legal competency* of the colony aſſemblies for the ſupport of their government in peace, and for publick aids in time of war. To acknowledge that this legal competency has had *a dutiful and beneficial exercise*; and that experience has ſhewn the *benefit of their grants*, and the *futility of parliamentary taxation as a method of ſupply*.

Theſe ſolid truths compoſe ſix fundamental propoſitions. There are three more reſolutions corollary to theſe. If you admit the firſt ſet, you can hardly reject the others. But if you admit the firſt, I ſhall be far from ſolicitous whether you accept or refuſe the laſt. I think theſe ſix maſſive pillars will be of ſtrength ſufficient to ſupport the temple of Britiſh concord. I have no more doubt than I entertain of my exiſtence, that, if you admitted

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mitted theſe, you would command an immediate peace; and with but tolerable future management, a laſting obedience in America. I am not arrogant in this confident aſſurance. The propoſitions are all mere matters of fact; and if they are ſuch facts as draw irreſiſtible concluſions even in the ſtating, this is the power of truth, and not any management of mine.

Sir, I ſhall open the whole plan to you together, with ſuch obſervations on the motions as may tend to illuſtrate them where they may want explanation. The firſt is a reſolution—"That the colo-"nies and plantations of Great Britain in North "America, conſiſting of fourteen ſeparate govern-"ments, and containing two millions and upwards "of free inhabitants, have not had the liberty and "privilege of electing and ſending any knights "and burgeſſes, or others to repreſent them in "the high court of parliament."—This is a plain matter of fact, neceſſary to be laid down, and (excepting the deſcription) it is laid down in the language of the conſtitution; it is taken nearly *verbatim* from acts of parliament.

The ſecond is like unto the firſt—"That the "ſaid colonies and plantations have been liable to, "and bounden by, ſeveral ſubſidies, payments, "rates, and taxes, given and granted by parlia-"ment, though the ſaid colonies and plantations "have not their knights and burgeſſes, in the ſaid "high

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"high court of parliament, of their own election, "to repreſent the condition of their country; by "lack whereof they have been oftentimes touched "and grieved by ſubſidies given, granted, and aſ- "ſented to, in the ſaid court, in a manner preju- "dicial to the common wealth, quietneſs, reſt, "and peace of the ſubjects inhabiting within the "ſame."

Is this deſcription too hot, or too cold, too ſtrong, or too weak? Does it arrogate too much to the ſupreme legiſlature? Does it lean too much to the claims of the people? If it runs into any of theſe errours, the fault is not mine. It is the language of your own ancient acts of parliament. *Non meus hic ſermo, ſed quæ præcepit Ofellus, ruſticus, abnormis ſapiens.* It is the genuine produce of the ancient, ruſtick, manly, home-bred ſenſe of this country.—I did not dare to rub off a particle of the venerable ruſt that rather adorns and preſerves, than deſtroys the metal. It would be a profanation to touch with a tool the ſtones which conſtruct the ſacred altar of peace. I would not violate with modern poliſh the ingenuous and noble roughneſs of theſe truly conſtitutional materials. Above all things, I was reſolved not to be guilty of tampering, the odious vice of reſtleſs and unſtable minds. I put my foot in the tracks of our forefathers; where I can neither wander nor ſtumble. Determining to fix articles of peace, I

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was reſolved not to be wiſe beyond what was written; I was reſolved to uſe nothing elſe than the form of ſound words; to let others abound in their own ſenſe; and carefully to abſtain from all expreſſions of my own. What the law has ſaid, I ſay. In all things elſe I am ſilent. I have no organ but for her words. This, if it be not ingenious, I am ſure is ſafe.

There are indeed words expreſſive of grievance in this ſecond reſolution, which thoſe who are re-reſolved always to be in the right, will deny to contain matter of fact, as applied to the preſent caſe; although parliament thought them true, with regard to the counties of Cheſter and Durham. They will deny that the Americans were ever "touched and grieved" with the taxes. If they conſider nothing in taxes but their weight as pecuniary impoſitions, there might be ſome pretence for this denial. But men may be ſorely touched and deeply grieved in their privileges, as well as in their purſes. Men may loſe little in property by the act which takes away all their freedom. When a man is robbed of a trifle on the highway, it is not the two-pence loſt that conſtitutes the capital outrage. This is not confined to privileges. Even ancient indulgences withdrawn, without offence on the part of thoſe who enjoyed ſuch favours, operate as grievances. But were the Americans then not touched and grieved by the taxes,

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in ſome meaſure, merely as taxes? If ſo, why were they almoſt all, either wholly repealed or exceedingly reduced? Were they not touched and grieved, even by the regulating duties of the ſixth of George II.? Elſe why were the duties firſt reduced to one third in 1764, and afterwards to a third of that third in the year 1766? Were they not touched and grieved by the ſtamp act? I ſhall ſay they were, until that tax is revived. Were they not touched and grieved by the duties of 1767, which were likewiſe repealed, and which, Lord Hillſborough tells you (for the miniſtry) were laid contrary to the true principle of commerce? Is not the aſſurance given by that noble perſon to the colonies of a reſolution to lay no more taxes on them, an admiſſion that taxes would touch and grieve them? Is not the reſolution of the noble lord in the blue ribband, now ſtanding on your journals, the ſtrongeſt of all proofs that parliamentary ſubſidies really touched and grieved them? Elſe why all theſe changes, modifications, repeals, aſſurances, and reſolutions?

The next propoſition is—"That, from the diſ-"tance of the ſaid colonies, and from other cir-"cumſtances, no method hath hitherto been de-"viſed for procuring a repreſentation in parlia-"ment for the ſaid colonies." This is an aſſertion of a fact. I go no further on the paper; though in my private judgment, an uſeful repreſentation

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is impoſſible; I am ſure it is not deſired by them; nor ought it perhaps by us; but I abſtain from opinions.

The fourth reſolution is—"That each of the "ſaid colonies hath within itſelf a body, choſen in "part, or in the whole, by the freemen, free-"holders, or other free inhabitants thereof, com-"monly called the General Aſſembly, or General "Court, with powers legally to raiſe, levy, and "aſſeſs, according to the ſeveral uſage of ſuch co-"lonies, duties and taxes towards defraying all "ſorts of publick ſervices."

This competence in the colony aſſemblies is certain. It is proved by the whole tenour of their acts of ſupply in all the aſſemblies, in which the conſtant ſtyle of granting is, "an aid to his ma-"jeſty;" and acts granting to the crown have regularly for near a century paſſed the publick offices without diſpute. Thoſe who have been pleaſed paradoxically to deny this right, holding that none but the Britiſh parliament can grant to the crown, are wiſhed to look to what is done, not only in the colonies, but in Ireland, in one uniform unbroken tenour every ſeſſion. Sir, I am ſurpriſed, that this doctrine ſhould come from ſome of the law ſervants of the crown. I ſay, that if the crown could be reſponſible, his majeſty—but certainly the miniſters, and even theſe law officers themſelves,



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through whoſe hands the acts paſs biennially in Ireland, or annually in the colonies, are in an habitual courſe of committing impeachable offences. What habitual offenders have been all preſidents of the council, all ſecretaries of ſtate, all firſt lords of trade, all attornies and all ſolicitors general! However, they are ſafe; as no one impeaches them; and there is no ground of charge againſt them, except in their own unfounded theories.

The fifth reſolution is alſo a reſolution of fact—"That the ſaid general aſſemblies, general courts, "or other bodies legally qualified as aforeſaid, have "at ſundry times freely granted ſeveral large ſub- "ſidies and publick aids for his majeſty's ſervice, "according to their abilities, when required there- "to by letter from one of his majeſty's principal "ſecretaries of ſtate; and that their right to grant "the ſame, and their cheerfulneſs and ſufficiency "in the ſaid grants, have been at ſundry times "acknowledged by parliament." To ſay nothing of their great expences in the Indian wars; and not to take their exertion in foreign ones, ſo high as the ſupplies in the year 1695; not to go back to their publick contributions in the year 1710; I ſhall begin to travel only where the journals give me light; reſolving to deal in nothing but fact, authenticated by parliamentary record; and to build myſelf wholly on that ſolid baſis.

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On the fourth of April, 1748,* a committee of this houſe came to the following reſolution:

" Reſolved,

" That it is the opinion of this committee, *That* " *it is juſt and reaſonable* that the ſeveral provinces " and colonies of Maſſachuſet's Bay, New Hamp- " ſhire, Connecticut, and Rhode Iſland, be reim- " burſed the expences they have been at in taking " and ſecuring to the crown of Great Britain, the " iſland of Cape Breton and its dependencies."

Theſe expences were immenſe for ſuch colonies. They were above 200,000*l.* ſterling; money firſt raiſed and advanced on their publick credit.

On the 28th of January, 1756,† a meſſage from the king came to us, to this effect—" His majeſty, " being ſenſible of the zeal and vigour with which " his faithful ſubjects of certain colonies in North " America have exerted themſelves in defence of " his majeſty's juſt rights and poſſeſſions, recom- " mends it to this houſe to take the ſame into " their conſideration, and to enable his majeſty to " give them ſuch aſſiſtance as may be a *proper re-* " *ward and encouragement.*"

On the 3d of February, 1756,‡ the houſe came

* Journals of the Houſe, Vol. xxv.
† Ibid. Vol. xxvii. ‡ Ibid.



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to a ſuitable reſolution, expreſſed in words nearly the ſame as thoſe of the meſſage: but with the further addition, that the money then voted was as an *encouragement* to the colonies to exert themſelves with vigour. It will not be neceſſary to go through all the teſtimonies which your own records have given to the truth of my reſolutions. I will only refer you to the places in the journals:

Vol. xxvii.—16th and 19th May, 1757.
Vol. xxviii.—June 1ſt, 1758—April 26th and 30th, 1759—March 26th and 31ſt, and April 28th, 1760—Jan. 9th and 20th, 1761.
Vol. xxix.—Jan. 22d and 26th, 1762—March 14th and 17th, 1763.

Sir, here is the repeated acknowledgment of parliament, that the colonies not only gave, but gave to ſatiety. This nation has formally acknowledged two things; firſt, that the colonies had gone beyond their abilities, parliament having thought it neceſſary to reimburſe them; ſecondly, that they had acted legally and laudably in their grants of money, and their maintenance of troops, ſince the compenſation is expreſsly given as reward and encouragement. Reward is not beſtowed for acts that are unlawful; and encouragement is not held out to things that deſerve reprehenſion.

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reprehenſion. My reſolution therefore does nothing more than collect into one propoſition, what is ſcattered through your journals. I give you nothing but your own; and you cannot refuſe in the groſs, what you have ſo often acknowledged in detail. The admiſſion of this, which will be ſo honourable to them and to you, will, indeed, be mortal to all the miſerable ſtories, by which the paſſions of the miſguided people have been engaged in an unhappy ſyſtem. The people heard, indeed, from the beginning of theſe diſputes, one thing continually dinned in their ears, that reaſon and juſtice demanded, that the Americans, who paid no taxes, ſhould be compelled to contribute. How did that fact of their paying nothing, ſtand, when the taxing ſyſtem began? When Mr. Grenville began to form his ſyſtem of American revenue, he ſtated in this houſe, that the colonies were then in debt two million ſix hundred thouſand pounds ſterling money; and was of opinion they would diſcharge that debt in four years. On this ſtate, thoſe untaxed people were actually ſubject to the payment of taxes to the amount of ſix hundred and fifty thouſand a year. In fact, however, Mr. Grenville was miſtaken. The funds given for ſinking the debt did not prove quite ſo ample as both the colonies and he expected. The calculation was too ſanguine: the reduction was not completed till ſome years after, and at dif-



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ferent times in different colonies. However, the taxes after the war continued too great to bear any addition, with prudence or propriety; and when the burthens impoſed in conſequence of former requiſitions were diſcharged, our tone became too high to reſort again to requiſition. No colony, ſince that time, ever has had any requiſition whatſoever made to it.

We ſee the ſenſe of the crown, and the ſenſe of parliament, on the productive nature of a *revenue by grant.* Now ſearch the ſame journals for the produce of the *revenue by impoſition*—Where is it?—let us know the volume and the page—what is the groſs, what is the net produce?—to what ſervice is it applied?—how have you appropriated its ſurplus?—What, can none of the many ſkilful index-makers, that we are now employing, find any trace of it?—Well, let them and that reſt together.—But are the journals, which ſay nothing of the revenue, as ſilent on the diſcontent? Oh no! a child may find it. It is the melancholy burthen and blot of every page.

I think then I am, from thoſe journals, juſtified in the ſixth and laſt reſolution, which is—"That "it hath been found by experience, that the man- "ner of granting the ſaid ſupplies and aids, by the "ſaid general aſſemblies, hath been more agree- "able to the ſaid colonies, and more beneficial, "and conducive to the publick ſervice, than the "mode

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" mode of giving and granting aids in parliament, " to be raiſed and paid in the ſaid colonies." This makes the whole of the fundamental part of the plan. The concluſion is irreſiſtible. You cannot ſay, that you were driven by any neceſſity to an exerciſe of the utmoſt rights of legiſlature. You cannot aſſert, that you took on yourſelves the taſk of impoſing colony taxes, from the want of another legal body, that is competent to the purpoſe of ſupplying the exigencies of the ſtate without wounding the prejudices of the people. Neither is it true that the body ſo qualified, and having that competence, had neglected the duty.

The queſtion now, on all this accumulated matter, is;—whether you will chuſe to abide by a profitable experience, or a miſchievous theory; whether you chuſe to build on imagination or fact; whether you prefer enjoyment or hope; ſatisfaction in your ſubjects, or diſcontent?

If theſe propoſitions are accepted, every thing which has been made to enforce a contrary ſyſtem, muſt, I take it for granted, fall along with it. On that ground, I have drawn the following reſolution, which, when it comes to be moved, will naturally be divided in a proper manner: "That " it may be proper to repeal an act, made in the " ſeventh year of the reign of his preſent ma- " jeſty, intituled, An act for granting certain du- " ties in the Britiſh colonies and plantations in



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" America; for allowing a drawback of the duties
" of cuſtoms upon the exportation from this king-
" dom, of coffee and cocoa-nuts of the produce of
" the ſaid colonies or plantations; for diſcontinu-
" ing the drawbacks payable on China earthen-
" ware exported to America; and for more ef-
" fectually preventing the clandeſtine running of
" goods in the ſaid colonies and plantations.—And
" that it may be proper to repeal an act, made in
" the fourteenth year of the reign of his preſent
" majeſty, intituled, An act to diſcontinue, in ſuch
" manner, and for ſuch time, as are therein men-
" tioned, the landing and diſcharging, lading or
" ſhipping, of goods, wares, and merchandize, at
" the town and within the harbour of Boſton, in
" the province of Maſſachuſet's Bay, in North
" America.—And that it may be proper to repeal
" an act, made in the fourteenth year of the reign
" of his preſent majeſty, intituled, An act for the
" impartial adminiſtration of juſtice, in the caſes
" of perſons queſtioned for any acts done by them,
" in the execution of the law, or for the ſuppreſ-
" ſion of riots and tumults, in the province of
" Maſſachuſet's Bay, in New England.—And that
" it may be proper to repeal an act, made in the
" fourteenth year of the reign of his preſent ma-
" jeſty, intituled, An act for the better regulating
" the government of the province of Maſſachuſet's
" Bay, in New England.—And, alſo, that it may
" be

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" be proper to explain and amend an act, made in " the thirty-fifth year of the reign of King Henry " the Eighth, intituled, An act for the trial of " treasons committed out of the king's domi- " nions."

I wish, Sir, to repeal the Boston Port Bill, because (independently of the dangerous precedent of suspending the rights of the subject during the king's pleasure) it was passed, as I apprehend, with less regularity, and on more partial principles, than it ought. The corporation of Boston was not heard before it was condemned. Other towns, full as guilty as she was, have not had their ports blocked up. Even the restraining bill of the present session does not go to the length of the Boston Port Act. The same ideas of prudence, which induced you not to extend equal punishment to equal guilt, even when you were punishing, induce me, who mean not to chastise, but to reconcile, to be satisfied with the punishment already partially inflicted.

Ideas of prudence, and accommodation to circumstances, prevent you from taking away the charters of Connecticut and Rhode Island, as you have taken away that of Massachuset's Colony, though the crown has far less power in the two former provinces than it enjoyed in the latter; and though the abuses have been full as great, and as flagrant, in the exempted as in the punished. The same reasons of prudence and accommodation have

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have weight with me in reſtoring the charter of Maſſachuſet's Bay. Beſides, Sir, the act which changes the charter of Maſſachuſet's is in many particulars ſo exceptionable, that if I did not wiſh abſolutely to repeal, I would by all means deſire to alter it; as ſeveral of its proviſions tend to the ſubverſion of all publick and private juſtice. Such, among others, is the power in the governour to change the ſheriff at his pleaſure; and to make a new returning officer for every ſpecial cauſe. It is ſhameful to behold ſuch a regulation ſtanding among Engliſh laws.

The act for bringing perſons accuſed of committing murder under the orders of government to England for trial, is but temporary. That act has calculated the probable duration of our quarrel with the colonies; and is accommodated to that ſuppoſed duration. I would haſten the happy moment of reconciliation; and therefore muſt, on my principle, get rid of that moſt juſtly obnoxious act.

The act of Henry the Eighth, for the trial of treaſons, I do not mean to take away, but to confine it to its proper bounds and original intention; to make it expreſsly for trial of treaſons (and the greateſt treaſons may be committed) in places where the juriſdiction of the crown does not extend.

Having guarded the privileges of local legiſlature, I would next ſecure to the colonies a fair and unbiaſſed

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unbiaſſed judicature; for which purpoſe, Sir, I propoſe the following reſolution: "That, from "the time when the general aſſembly or general "court of any colony or plantation in North Ame-"rica, ſhall have appointed by act of aſſembly, "duly confirmed, a ſettled ſalary to the offices of "the chief juſtice and other judges of the ſuperiour "court, it may be proper, that the ſaid chief juſ-"tice and other judges of the ſuperiour courts of "ſuch colony, ſhall hold his and their office and "offices during their good behaviour; and ſhall "not be removed therefrom, but when the ſaid "removal ſhall be adjudged by his majeſty in "council, upon a hearing on complaint from the "general aſſembly, or on a complaint from the "governour, or council, or the houſe of repreſen-"tatives ſeverally, of the colony in which the ſaid "chief juſtice and other judges have exerciſed "the ſaid offices."

The next reſolution relates to the courts of admiralty.

It is this:—"That it may be proper to regulate "the courts of admiralty, or vice admiralty, au-"thorized by the 15th chap. of the 4th of George "the Third, in ſuch a manner as to make the "ſame more commodious to thoſe who ſue, or "are ſued, in the ſaid courts, and to provide for "the more decent maintenance of the judges in "the ſame."

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These courts I do not wish to take away; they are in themselves proper establishments. This court is one of the capital securities of the act of navigation. The extent of its jurisdiction, indeed, has been increased; but this is altogether as proper, and is, indeed, on many accounts, more eligible, where new powers were wanted, than a court absolutely new. But courts incommodiously situated, in effect, deny justice; and a court, partaking in the fruits of its own condemnation, is a robber. The congress complain, and complain justly of this grievance.*

These are the three consequential propositions. I have thought of two or three more; but they came rather too near detail, and to the province of executive government, which I wish parliament always to superintend, never to assume. If the first six are granted, congruity will carry the latter three. If not, the things that remain unrepealed, will be, I hope, rather unseemly incumbrances on the building, than very materially detrimental to its strength and stability.

Here, Sir, I should close; but that I plainly perceive some objections remain, which I ought, if possible, to remove. The first will be, that, in

* The Solicitor-General informed Mr. B. when the resolutions were separately moved, that the grievance of the judges partaking of the profits of the seizure had been redressed by office; accordingly the resolution was amended.

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reforting to the doctrine of our anceſtors, as contained in the preamble to the Cheſter act, I prove too much; that the grievance from a want of repreſentation ſtated in that preamble, goes to the whole of legiſlation as well as to taxation. And that the colonies grounding themſelves upon that doctrine, will apply it to all parts of legiſlative authority.

To this objection with all poſſible deference and humility, and wiſhing as little as any man living to impair the ſmalleſt particle of our ſupreme authority, I anſwer, that *the words are the words of parliament, and not mine*; and, that all falſe and inconcluſive inferences, drawn from them, are not mine; for I heartily diſclaim any ſuch inference. I have choſen the words of an act of parliament, which Mr. Grenville, ſurely a tolerably zealous and very judicious advocate for the ſovereignty of parliament, formerly moved to have read at your table, in confirmation of his tenets. It is true, that Lord Chatham conſidered theſe preambles as declaring ſtrongly in favour of his opinions. He was a no leſs powerful advocate for the privileges of the Americans. Ought I not from hence to preſume, that theſe preambles are as favourable as poſſible to both, when properly underſtood; favourable both to the rights of parliament, and to the privilege of the dependencies of this crown? But, Sir, the object of grievance in my

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my reſolution, I have not taken from the Cheſter, but from the Durham act, which confines the hardſhip of want of repreſentation to the caſe of ſubſidies; and which therefore falls in exactly with the caſe of the colonies. But whether the unrepreſented counties were *de jure*, or *de facto*, bound, the preambles do not accurately diſtinguiſh; nor indeed was it neceſſary; for whether *de jure*, or *de facto*, the legiſlature thought the exerciſe of the power of taxing, as of right, or as of fact without right, equally a grievance, and equally oppreſſive.

I do not know, that the colonies have, in any general way, or in any cool hour, gone much beyond the demand of immunity in relation to taxes. It is not fair to judge of the temper or diſpoſitions of any man, or any ſet of men, when they are compoſed and at reſt, from their conduct, or their expreſſions, in a ſtate of diſturbance and irritation. It is beſides a very great miſtake to imagine, that mankind follow up practically any ſpeculative principle, either of government or of freedom, as far as it will go in argument and logical illation. We Engliſhmen ſtop very ſhort of the principles upon which we ſupport any given part of our conſtitution; or even the whole of it together. I could eaſily, if I had not already tired you, give you very ſtriking and convincing inſtances of it. This is nothing but what is natural and proper. All government, indeed every human benefit and enjoyment,

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enjoyment, every virtue, and every prudent act, is founded on compromiſe and barter. We balance inconveniences; we give and take; we remit ſome rights, that we may enjoy others; and, we chooſe rather to be happy citizens, than ſubtle diſputants. As we muſt give away ſome natural liberty, to enjoy civil advantages; ſo we muſt ſacrifice ſome civil liberties, for the advantages to be derived from the communion and fellowſhip of a great empire. But in all fair dealings the thing bought, muſt bear ſome proportion to the purchaſe paid. None will barter away the immediate jewel of his ſoul. Though a great houſe is apt to make ſlaves haughty, yet it is purchaſing a part of the artificial importance of a great empire too dear, to pay for it all eſſential rights, and all the intrinſick dignity of human nature. None of us who would not riſk his life, rather than fall under a government purely arbitrary. But, although there are ſome amongſt us who think our conſtitution wants many improvements, to make it a complete ſyſtem of liberty, perhaps none who are of that opinion would think it right to aim at ſuch improvement, by diſturbing his country, and riſking every thing that is dear to him. In every arduous enterpriſe, we conſider what we are to loſe, as well as what we are to gain; and the more and better ſtake of liberty every people poſſeſs, the leſs they will hazard in a vain attempt to

to make it more. These are *the cords of man.* Man acts from adequate motives relative to his intereſts, and not on metaphyſical ſpeculations. Ariſtotle, the great maſter of reaſoning, cautions us, and with great weight and propriety, againſt this ſpecies of deluſive geometrical accuracy in moral arguments, as the moſt fallacious of all ſophiſtry.

The Americans will have no intereſt contrary to the grandeur and glory of England, when they are not oppreſſed by the weight of it; and they will rather be inclined to reſpect the acts of a ſuperintending legiſlature; when they ſee them the acts of that power, which is itſelf the ſecurity, not the rival, of their ſecondary importance. In this aſſurance, my mind moſt perfectly acquieſces; and I confeſs, I feel not the leaſt alarm, from the diſcontents which are to ariſe, from putting people at their eaſe; nor do I apprehend the deſtruction of this empire, from giving, by an act of free grace and indulgence, to two millions of my fellow citizens, ſome ſhare of thoſe rights, upon which I have always been taught to value myſelf.

It is ſaid indeed, that this power of granting, veſted in American aſſemblies, would diſſolve the unity of the empire; which was preſerved, entire, although Wales, and Cheſter, and Durham, were added to it. Truly, Mr. Speaker, I do not know what this unity means; nor has it ever been heard of, that I know, in the conſtitutional policy

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of this country. The very idea of ſubordination of parts, excludes this notion of ſimple and undivided unity. England is the head; but ſhe is not the head and the members too. Ireland has ever had from the beginning a ſeparate, but not an independent, legiſlature; which, far from diſtracting, promoted the union of the whole. Every thing was ſweetly and harmoniouſly diſpoſed through both iſlands for the conſervation of Engliſh dominion, and the communication of Engliſh liberties. I do not ſee that the ſame principles might not be carried into twenty iſlands, and with the ſame good effect. This is my model with regard to America, as far as the internal circumſtances of the two countries are the ſame. I know no other unity of this empire, than I can draw from its example during theſe periods, when it ſeemed to my poor underſtanding more united than it is now, or than it is likely to be by the preſent methods.

But ſince I ſpeak of theſe methods, I recollect, Mr. Speaker, almoſt too late, that I promiſed, before I finiſhed, to ſay ſomething of the propoſition of the *noble lord on the floor, which has been ſo lately received, and ſtands on your journals. I muſt be deeply concerned, whenever it is my misfortune to continue a difference with the ma-

* Lord North.



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jority of this houſe. But as the reaſons for that difference are my apology for thus troubling you, ſuffer me to ſtate them in a very few words. I ſhall compreſs them into as ſmall a body as I poſſibly can, having already debated that matter at large, when the queſtion was before the committee.

Firſt, then, I cannot admit that propoſition of a ranſom by auction;—becauſe it is a meer project. It is a thing new; unheard of; ſupported by no experience; juſtified by no analogy; without example of our anceſtors, or root in the conſtitution.

It is neither regular parliamentary taxation, nor colony grant. *Experimentum in corpore vili*, is a good rule, which will ever make me adverſe to any trial of experiments on what is certainly the moſt valuable of all ſubjects; the peace of this empire.

Secondly, it is an experiment which muſt be fatal in the end to our conſtitution. For what is it but a ſcheme for taxing the colonies in the anti-chamber of the noble lord and his ſucceſſors? To ſettle the quotas and proportions in this houſe, is clearly impoſſible. You, Sir, may flatter yourſelf, you ſhall ſit a ſtate auctioneer, with your hammer in your hand, and knock down to each colony as it bids. But to ſettle (on the plan laid down by the noble lord) the true proportional payment for four or five and twenty governments, according to the abſolute and the relative wealth of each,

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and according to the Britiſh proportion of wealth and burthen, is a wild and chimerical notion. This new taxation muſt therefore come in by the back-door of the conſtitution. Each quota muſt be brought to this houſe ready formed; you can neither add nor alter. You muſt regiſter it. You can do nothing further. For on what grounds can you deliberate either before or after the propoſition? You cannot hear the counſel for all theſe provinces, quarrelling each on its own quantity of payment, and its proportion to others. If you ſhould attempt it, the committee of provincial ways and means, or by whatever other name it will delight to be called, muſt ſwallow up all the time of parliament.

Thirdly, it does not give ſatisfaction to the complaint of the colonies. They complain, that they are taxed without their conſent; you anſwer, that you will fix the ſum at which they ſhall be taxed. That is, you give them the very grievance for the remedy. You tell them indeed, that you will leave the mode to themſelves. I really beg pardon: it gives me pain to mention it; but you muſt be ſenſible that you will not perform this part of the compact. For, ſuppoſe the colonies were to lay the duties which furniſhed their contingent, upon the importation of your manufactures; you know you would never ſuffer ſuch a tax to be laid. You know too, that you would not ſuffer many other



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modes of taxation. So that, when you come to explain yourself, it will be found, that you will neither leave to themselves the quantum nor the mode; nor indeed any thing. The whole is delusion from one end to the other.

Fourthly, this method of ransom by auction, unless it be *universally* accepted, will plunge you into great and inextricable difficulties. In what year of our Lord are the proportions of payments to be settled? To say nothing of the impossibility that colony agents should have general powers of taxing the colonies at their discretion; consider, I implore you, that the communication by special messages, and orders between these agents and their constituents on each variation of the case, when the parties come to contend together, and to dispute on their relative proportions, will be a matter of delay, perplexity, and confusion, that never can have an end.

If all the colonies do not appear at the outcry, what is the condition of those assemblies, who offer, by themselves or their agents, to tax themselves up to your ideas of their proportion? The refractory colonies, who refuse all composition, will remain taxed only to your old impositions, which, however grievous in principle, are trifling as to production. The obedient colonies in this scheme are heavily taxed; the refractory remain unburthened. What will you do? Will you lay

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new and heavier taxes by parliament on the diſobedient? Pray conſider in what way you can do it. You are perfectly convinced that in the way of taxing, you can do nothing but at the ports. Now ſuppoſe it is Virginia that refuſes to appear at your auction, while Maryland and North Carolina bid handſomely for their ranſom, and are taxed to your quota; How will you put theſe colonies on a par? Will you tax the tobacco of Virginia? If you do, you give its death-wound to your Engliſh revenue at home, and to one of the very greateſt articles of your own foreign trade. If you tax the import of that rebellious colony, what do you tax but your own manufactures, or the goods of ſome other obedient, and already well taxed colony? Who has ſaid one word on this labyrinth of detail, which bewilders you more and more as you enter into it? Who has preſented, who can preſent you, with a clue, to lead you out of it? I think, Sir, it is impoſſible, that you ſhould not recollect that the colony bounds are ſo implicated in one another (you know it by your other experiments in the bill for prohibiting the New-England fiſhery) that you can lay no poſſible reſtraints on almoſt any of them which may not be preſently eluded, if you do not confound the innocent with the guilty, and burthen thoſe whom upon every principle, you ought to exonerate. He muſt be groſsly ignorant of America,



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who thinks, that, without falling into this confuſion of all rules of equity and policy, you can reſtrain any ſingle colony, eſpecially Virginia and Maryland, the central, and moſt important of them all.

Let it alſo be conſidered, that, either in the preſent confuſion you ſettle a permanent contingent, which will and muſt be trifling; and then you have no effectual revenue: or you change the quota at every exigency; and then on every new repartition you will have a new quarrel.

Reflect beſides, that when you have fixed a quota for every colony, you have not provided for prompt and punctual payment. Suppoſe one, two, five, ten years arrears. You cannot iſſue a treaſury extent againſt the failing colony. You muſt make new Boſton port bills, new reſtraining laws, new acts for dragging men to England for trial. You muſt ſend out new fleets, new armies. All is to begin again. From this day forward the empire is never to know an hour's tranquillity. An inteſtine fire will be kept alive in the bowels of the colonies, which one time or other muſt conſume this whole empire. I allow indeed that the empire of Germany raiſes her revenue and her troops by quotas and contingents; but the revenue of the empire, and the army of the empire, is the worſt revenue, and the worſt army, in the world.

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Inſtead of a ſtanding revenue, you will therefore have a perpetual quarrel. Indeed the noble lord, who propoſed this project of a ranſom by auction, ſeemed himſelf to be of that opinion. His project was rather deſigned for breaking the union of the colonies, than for eſtabliſhing a revenue. He confeſſed, he apprehended that his propoſal would not be to *their taſte*. I ſay, this ſcheme of diſunion ſeems to be at the bottom of the project; for I will not ſuſpect that the noble lord meant nothing but merely to delude the nation by an airy phantom which he never intended to realize. But whatever his views may be; as I propoſe the peace and union of the colonies as the very foundation of my plan, it cannot accord with one whoſe foundation is perpetual diſcord.

Compare the two. This I offer to give you is plain and ſimple. The other full of perplexed and intricate mazes. This is mild; that harſh. This is found by experience effectual for its purpoſes; the other is a new project. This is univerſal; the other calculated for certain colonies only. This is immediate in its conciliatory operation; the other remote, contingent, full of hazard. Mine is what becomes the dignity of a ruling people; gratuitous, unconditional, and not held out as matter of bargain and ſale. I have done my duty in propoſing it to you. I have indeed tired you by a long diſcourſe; but this is the misfortune of



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those to whose influence nothing will be conceded, and who must win every inch of their ground by argument. You have heard me with goodness. May you decide with wisdom! For my part, I feel my mind greatly disburthened by what I have done to-day. I have been the less fearful of trying your patience, because on this subject I mean to spare it altogether in future. I have this comfort, that in every stage of the American affairs, I have steadily opposed the measures that have produced the confusion, and may bring on the destruction, of this empire. I now go so far as to risk a proposal of my own. If I cannot give peace to my country; I give it to my conscience.

But what (says the financier) is peace to us without money? Your plan gives us no revenue. No! But it does—For it secures to the subject the power of REFUSAL; the first of all revenues. Experience is a cheat, and fact a liar, if this power in the subject of proportioning his grant, or of not granting at all, has not been found the richest mine of revenue ever discovered by the skill or by the fortune of man. It does not indeed vote you £152,756: 11: 2¼ths, nor any other paltry limited sum.—But it gives the strong box itself, the fund, the bank, from whence only revenues can arise amongst a people sensible of freedom: *Posita luditur arca.* Cannot you in England; cannot you at this time of day; cannot you, a house

of

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of commons, truſt to the principle which has raiſed ſo mighty a revenue, and accumulated a debt of near 140 millions in this country? Is this principle to be true in England, and falſe every where elſe? Is it not true in Ireland? Has it not hitherto been true in the colonies? Why ſhould you preſume, that, in any country, a body duly conſtituted for any function, will neglect to perform its duty, and abdicate its truſt? Such a preſumption would go againſt all governments in all modes. But, in truth, this dread of penury of ſupply, from a free aſſembly, has no foundation in nature. For firſt obſerve, that, beſides the deſire which all men have naturally of ſupporting the honour of their own government; that ſenſe of dignity, and that ſecurity to property, which ever attends freedom, has a tendency to increaſe the ſtock of the free community. Moſt may be taken where moſt is accumulated. And what is the ſoil or climate where experience has not uniformly proved, that the voluntary flow of heaped-up plenty, burſting from the weight of its own rich luxuriance, has ever run with a more copious ſtream of revenue, than could be ſqueezed from the dry huſks of oppreſſed indigence, by the ſtraining of all the politick machinery in the world.

Next we know, that parties muſt ever exiſt in a free country. We know too, that the emulations of ſuch parties, their contradictions, their reciprocal

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procal neceſſities, their hopes, and their fears, muſt ſend them all in their turns to him that holds the balance of the ſtate. The parties are the gameſters; but government keeps the table, and is ſure to be the winner in the end. When this game is played, I really think it is more to be feared, that the people will be exhauſted, than that government will not be ſupplied. Whereas, whatever is got by acts of abſolute power ill obeyed, becauſe odious, or by contracts ill kept, becauſe conſtrained; will be narrow, feeble, uncertain, and precarious. "*Eaſe would retract vows made in pain, as "violent and void.*"

I, for one, proteſt againſt compounding our demands: I declare againſt compounding, for a poor limited ſum, the immenſe, evergrowing, eternal debt, which is due to generous government from protected freedom. And ſo may I ſpeed in the great object I propoſe to you, as I think it would not only be an act of injuſtice, but would be the worſt œconomy in the world, to compel the colonies to a ſum certain, either in the way of ranſom, or in the way of compulſory compact.

But to clear up my ideas on this ſubject—a revenue from America tranſmitted hither—do not delude yourſelves—you never can receive it—No, not a ſhilling. We have experience that from remote countries it is not to be expected. If, when you attempted to extract revenue from Bengal,

you

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you were obliged to return in loan what you had taken in impoſition; what can you expect from North America? for certainly, if ever there was a country qualified to produce wealth, it is India; or an inſtitution fit for the tranſmiſſion, it is the Eaſt-India Company. America has none of theſe aptitudes. If America gives you taxable objects, on which you lay your duties here, and gives you, at the ſame time, a ſurplus by a foreign ſale of her commodities to pay the duties on theſe objects which you tax at home, ſhe has performed her part to the Britiſh revenue. But with regard to her own internal eſtabliſhments; ſhe may, I doubt not ſhe will, contribute in moderation. I ſay in moderation; for ſhe ought not to be permitted to exhauſt herſelf. She ought to be reſerved to a war; the weight of which, with the enemies that we are moſt likely to have, muſt be conſiderable in her quarter of the globe. There ſhe may ſerve you, and ſerve you eſſentially.

For that ſervice, for all ſervice, whether of revenue, trade, or empire, my truſt is in her intereſt in the Britiſh conſtitution. My hold of the colonies is in the cloſe affection which grows from common names, from kindred blood, from ſimilar privileges, and equal protection. Theſe are ties, which, though light as air, are as ſtrong as links of iron. Let the colonies always keep the idea of their civil rights aſſociated with your government;

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ment;—they will cling and grapple to you; and no force under heaven will be of power to tear them from their allegiance. But let it be once underſtood, that your government may be one thing, and their privileges another; that theſe two things may exiſt without any mutual relation; the cement is gone; the coheſion is looſened; and every thing haſtens to decay and diſſolution. As long as you have the wiſdom to keep the ſovereign authority of this country as the ſanctuary of liberty, the ſacred temple conſecrated to our common faith, wherever the choſen race and ſons of England worſhip freedom, they will turn their faces towards you. The more they multiply, the more friends you will have; the more ardently they love liberty, the more perfect will be their obedience. Slavery they can have any where. It is a weed that grows in every ſoil. They may have it from Spain, they may have it from Pruſſia. But until you become loſt to all feeling of your true intereſt and your natural dignity, freedom they can have from none but you. This is the commodity of price, of which you have the monopoly. This is the true act of navigation, which binds to you the commerce of the colonies, and through them ſecures to you the wealth of the world. Deny them this participation of freedom, and you break that ſole bond, which originally made, and muſt ſtill preſerve, the unity of the empire. Do not entertain

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entertain ſo weak an imagination, as that your regiſters and your bonds, your affidavits and your ſufferances, your cockets and your clearances, are what form the great ſecurities of your commerce. Do not dream that your letters of office, and your inſtructions, and your ſuſpending clauſes, are the things that hold together the great contexture of this myſterious whole. Theſe things do not make your government. Dead inſtruments, paſſive tools as they are, it is the ſpirit of the Engliſh communion, that gives all their life and efficacy to them. It is the ſpirit of the Engliſh conſtitution, which, infuſed through the mighty maſs, pervades, feeds, unites, invigorates, vivifies, every part of the empire, even down to the minuteſt member.

Is it not the ſame virtue which does every thing for us here in England? Do you imagine then, that it is the land tax act which raiſes your revenue? that it is the annual vote in the committee of ſupply, which gives you your army? or that it is the mutiny bill which inſpires it with bravery and diſcipline? No! ſurely no! It is the love of the people; it is their attachment to their government from the ſenſe of the deep ſtake they have in ſuch a glorious inſtitution, which gives you your army and your navy, and infuſes into both that liberal obedience, without which your army would be a baſe rabble, and your navy nothing but rotten timber.

All

All this, I know well enough, will ſound wild and chimerical to the profane herd of thoſe vulgar and mechanical politicians, who have no place among us; a ſort of people who think that nothing exiſts but what is groſs and material; and who therefore, far from being qualified to be directors of the great movement of empire, are not fit to turn a wheel in the machine. But to men truly initiated and rightly taught, theſe ruling and maſter principles, which, in the opinion of ſuch men as I have mentioned, have no ſubſtantial exiſtence, are in truth every thing, and all in all. Magnanimity in politicks is not ſeldom the trueſt wiſdom; and a great empire and little minds go ill together. If we are conſcious of our ſituation, and glow with zeal to fill our places as becomes our ſtation and ourſelves, we ought to auſpicate all our publick proceedings on America, with the old warning of the church, *Surſum corda!* We ought to elevate our minds to the greatneſs of that truſt to which the order of Providence has called us. By adverting to the dignity of this high calling, our anceſtors have turned a ſavage wilderneſs into a glorious empire; and have made the moſt extenſive, and the only honourable conqueſts; not by deſtroying, but by promoting, the wealth, the number, the happineſs, of the human race. Let us get an American revenue as we have got an American empire. Engliſh privileges have made it

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it all that it is; Engliſh privileges alone will make it all it can be.

In full confidence of this unalterable truth, I now *(quod felix fauſtumque ſit)*—lay the firſt ſtone of the temple of peace; and I move you,

"That the colonies and plantations of Great "Britain in North America, conſiſting of four-"teen ſeparate governments, and containing two "millions and upwards of free inhabitants, have "not had the liberty and privilege of electing "and ſending any knights and burgeſſes, or "others, to repreſent them in the high court "of parliament."

Upon this reſolution, the previous queſtion was put, and carried;—for the previous queſtion 270, againſt it 78.

As the propoſitions were opened ſeparately in the body of the ſpeech, the reader perhaps may wiſh to ſee the whole of them together, in the form in which they were moved for.

"MOVED,

"That the colonies and plantations of Great Bri-"tain in North America, conſiſting of fourteen

"ſeparate

" ſeparate governments, and containing two mil-
" lions and upwards of free inhabitants, have not
" had the liberty and privilege of electing and ſend-
" ing any knights and burgeſſes, or others, to re-
" preſent them in the high court of parliament."

" That the ſaid colonies and plantations have
" been made liable to, and bounden by, ſeveral
" ſubſidies, payments, rates, and taxes, given and
" granted by parliament; though the ſaid colonies
" and plantations have not their knights and bur-
" geſſes, in the ſaid high court of parliament, of
" their own election, to repreſent the condition
" of their country, *by lack whereof, they have been*
" *oftentimes touched and grieved by ſubſidies given,*
" *granted, and aſſented to, in the ſaid court, in a man-*
" *ner prejudicial to the common wealth, quietneſs, reſt,*
" *and peace, of the ſubjects inhabiting within the*
" *ſame.*"

" That, from the diſtance of the ſaid colonies,
" and from other circumſtances, no method hath
" hitherto been deviſed for procuring a repreſen-
" tation in parliament for the ſaid colonies."

" That each of the ſaid colonies hath within it-
" ſelf a body, choſen, in part or in the whole, by
" the freemen, freeholders, or other free inhabi-
" tants thereof, commonly called the general aſ-
" ſembly, or general court; with powers legally
" to raiſe, levy, and aſſeſs, according to the ſeve-
" ral

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" ral uſage of ſuch colonies, duties and taxes to-
" wards defraying all ſorts of publick ſervices."*

"That the ſaid general aſſemblies, general courts,
" or other bodies, legally qualified as aforeſaid,
" have at ſundry times freely granted ſeveral large
" ſubſidies and publick aids for his majeſty's ſervice,
" according to their abilities, when required there-
" to by letter from one of his majeſty's principal ſe-
" cretaries of ſtate; and that their right to grant
" the ſame, and their cheerfulneſs and ſufficiency,
" in the ſaid grants, have been at ſundry times
" acknowledged by parliament."

" That it hath been found by experience, that
" the manner of granting the ſaid ſupplies and
" aids, by the ſaid general aſſemblies, hath been
" more agreeable to the inhabitants of the ſaid
" colonies, and more beneficial and conducive to
" the publick ſervice, than the mode of giving and
" granting aids and ſubſidies in parliament to be
" raiſed and paid in the ſaid colonies."

" That it may be proper to repeal an act, made
" in the 7th year of the reign of his preſent ma-

* The firſt four motions and the laſt had the previous queſtion put on them. The others were negatived.

The words in Italicks were, by an amendment that was carried, left out of the motion; which will appear in the journals, though it is not the practice to inſert ſuch amendments in the votes.



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" jesty, intituled, An act for granting certain du-
" ties in the British colonies and plantations in
" America; for allowing a drawback of the duties
" of customs, upon the exportation from this
" kingdom, of coffee and cocoa-nuts, of the pro-
" duce of the said colonies or plantations; for dis-
" continuing the drawbacks payable on China ear-
" then-ware exported to America; and for more
" effectually preventing the clandestine running of
" goods in the said colonies and plantations."

" That it may be proper to repeal an act, made
" in the 14th year of the reign of his present ma-
" jesty, intituled, An act to discontinue, in such
" manner, and for such time, as are therein men-
" tioned, the landing and discharging, lading or
" shipping of goods, wares, and merchandize, at
" the town, and within the harbour, of Boston,
" in the province of Massachuset's Bay, in North
" America."

" That it may be proper to repeal an act, made
" in the 14th year of the reign of his present ma-
" jesty, intituled, An act for the impartial admi-
" nistration of justice, in cases of persons questioned
" for any acts done by them in the execution of
" the law, or for the suppression of riots and tu-
" mults, in the province of Massachuset's Bay, in
" New England."

" That it is proper to repeal an act, made in the
" 14th

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" 14th year of the reign of his preſent majeſty,
" intituled, An act for the better regulating the
" government of the province of Maſſachuſet's
" Bay, in New England."

" That it is proper to explain and amend an act,
" made in the 35th year of the reign of King Henry
" VIII. intituled, An act for the trial of treaſons
" committed out of the King's dominions."

" That, from the time when the general aſſem-
" bly, or general court, of any colony or planta-
" tion, in North America, ſhall have appointed, by
" act of aſſembly duly confirmed, a ſettled ſalary
" to the offices of the chief juſtice and judges of
" the ſuperiour courts, it may be proper that the
" ſaid chief juſtice and other judges of the ſupe-
" riour courts of ſuch colony ſhall hold his and their
" office and offices during their good behaviour;
" and ſhall not be removed therefrom, but when
" the ſaid removal ſhall be adjudged by his ma-
" jeſty in council, upon a hearing on complaint
" from the general aſſembly, or on a complaint
" from the governour, or council, or the houſe of
" repreſentatives, ſeverally, of the colony in which
" the ſaid chief juſtice and other judges have ex-
" erciſed the ſaid office."

" That it may be proper to regulate the courts
" of admiralty, or vice-admiralty, authorized by
" the 15th chapter of the 4th of George III. in



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" ſuch a manner, as to make the ſame more com-
" modious to thoſe who ſue, or are ſued, in the
" ſaid courts; *and to provide for the more decent*
" *maintenance of the judges of the ſame.*"

A LETTER

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A

# LETTER

FROM

## MR. BURKE,

TO

## JOHN FARR AND JOHN HARRIS, ESQRS.

SHERIFFS OF THE CITY OF BRISTOL,

ON THE

## *AFFAIRS OF AMERICA.*

1777.

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# A LETTER, &c.

GENTLEMEN,

I HAVE the honour of ſending you the two laſt acts which have been paſſed with regard to the troubles in America. Theſe acts are ſimilar to all the reſt which have been made on the ſame ſubject. They operate by the ſame principle; and they are derived from the very ſame policy. I think they complete the number of that ſort of ſtatutes to nine. It affords no matter for very pleaſing reflection, to obſerve, that our ſubjects diminiſh, as our laws increaſe.

If I have the misfortune of differing with ſome of my fellow-citizens on this great and arduous ſubject, it is no ſmall conſolation to me, that I do not differ from you. With you, I am perfectly united. We are heartily agreed in our deteſtation of a civil war. We have ever expreſſed the moſt unqualified diſapprobation of all the ſteps which have led to it, and of all thoſe which tend to prolong it. And I have no doubt that we feel exactly the ſame emotions of grief and ſhame on all its miſerable conſequences; whether they appear,



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on the one ſide or the other, in the ſhape of victories or defeats, of captures made from the Engliſh on the continent, or from the Engliſh in theſe iſlands; of legiſlative regulations which ſubvert the liberties of our brethren, or which undermine our own.

Of the firſt of theſe ſtatutes (that for the letter of marque) I ſhall ſay little. Exceptionable as it may be, and as I think it is in ſome particulars, it ſeems the natural, perhaps neceſſary reſult of the meaſures we have taken, and the ſituation we are in. The other (for a partial ſuſpenſion of the *Habeas Corpus*) appears to me of a much deeper malignity. During its progreſs through the houſe of commons, it has been amended, ſo as to expreſs more diſtinctly than at firſt it did, the avowed ſentiments of thoſe who framed it: and the main ground of my exception to it is, becauſe it does expreſs, and does carry into execution, purpoſes which appear to me ſo contradictory to all the principles, not only of the conſtitutional policy of Great Britain, but even of that ſpecies of hoſtile juſtice, which no aſperity of war wholly extinguiſhes in the minds of a civilized people.

It ſeems to have in view two capital objects; the firſt, to enable adminiſtration to confine, as long as it ſhall think proper, thoſe, whom that act is pleaſed to qualify by the name of *pirates*. Thoſe ſo qualified, I underſtand to be, the commanders and

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and mariners of ſuch privateers and ſhips of war belonging to the colonies, as in the courſe of this unhappy conteſt may fall into the hands of the crown. They are therefore to be detained in priſon, under the criminal deſcription of piracy, to a future trial and ignominious puniſhment, whenever circumſtances ſhall make it convenient to execute vengeance on them, under the colour of that odious and infamous offence.

To this firſt purpoſe of the law, I have no ſmall diſlike; becauſe the act does not, (as all laws, and all equitable tranſactions ought to do) fairly deſcribe its object. The perſons, who make a naval war upon us, in conſequence of the preſent troubles, may be rebels; but to call and treat them as pirates, is confounding, not only the natural diſtinction of things, but the order of crimes; which, whether by putting them from a higher part of the ſcale to the lower, or from the lower to the higher, is never done without dangerouſly diſordering the whole frame of juriſprudence. Though piracy may be, in the eye of the law, a *leſs* offence than treaſon; yet as both are, in effect, puniſhed with the ſame death, the ſame forfeiture, and the ſame corruption of blood, I never would take from any fellow creature whatever, any ſort of advantage which he may derive to his ſafety from the pity of mankind, or to his reputation from their general feelings, by degrading his offence, when I cannot

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cannot ſoften his puniſhment. The general ſenſe of mankind tells me, that thoſe offences, which may poſſibly ariſe from miſtaken virtue, are not in the claſs of infamous actions. Lord Coke, the oracle of the Engliſh law, conforms to that general ſenſe where he ſays, that "thoſe things which are of the "higheſt criminality, may be of the leaſt diſgrace." The act prepares a ſort of maſked proceeding, not honourable to the juſtice of the kingdom, and by no means neceſſary for its ſafety. I cannot enter into it. If Lord Balmerino, in the laſt rebellion, had driven off the cattle of twenty clans, I ſhould have thought it would have been a ſcandalous and low juggle, utterly unworthy of the manlineſs of an Engliſh judicature, to have tried him for felony as a ſtealer of cows.

Beſides, I muſt honeſtly tell you, that I could not vote for, or countenance in any way, a ſtatute, which ſtigmatizes with the crime of piracy, theſe men, whom an act of parliament had previouſly put out of the protection of the law. When the legiſlature of this kingdom had ordered all their ſhips and goods, for the mere new-created offence of exerciſing trade, to be divided as a ſpoil among the ſeamen of the navy,—to conſider the neceſſary repriſal of an unhappy, proſcribed, interdicted people, as the crime of piracy, would have appeared in any other legiſlature than ours, a ſtrain of the moſt inſulting and moſt unnatural cruelty

and

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and injuſtice. I aſſure you, I never remember to have heard of any thing like it in any time or country.

The ſecond profeſſed purpoſe of the act is to detain in England for trial, thoſe who ſhall commit high treaſon in America.

That you may be enabled to enter into the true ſpirit of the preſent law, it is neceſſary, gentlemen, to apprize you, that there is an act, made ſo long ago as in the reign of Henry the Eighth, before the exiſtence or thought of any Engliſh colonies in America, for the trial in this kingdom of treaſons committed out of the realm. In the year 1769, parliament thought proper to acquaint the crown with their conſtruction of that act in a formal addreſs, wherein they intreated his majeſty, to cauſe perſons, charged with high treaſon in America, to be brought into this kingdom for trial. By this act of Henry the Eighth, *ſo conſtrued and ſo applied*, almoſt all that is ſubſtantial and beneficial in a trial by jury, is taken away from the ſubject in the colonies. This is however ſaying too little; for to try a man under that act is, in effect, to condemn him unheard. A perſon is brought hither in the dungeon of a ſhip's hold; thence he is vomited into a dungeon on land; loaded with irons, unfurniſhed with money, unſupported by friends, three thouſand miles from all means of calling upon or confronting evidence, where no one

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one local circumſtance that tends to detect perjury, can poſſibly be judged of;—ſuch a perſon may be executed according to form, but he can never be tried according to juſtice.

I therefore could never reconcile myſelf to the bill I ſend you; which is expreſsly provided to remove all inconveniencies from the eſtabliſhment of a mode of trial, which has ever appeared to me moſt unjuſt and moſt unconſtitutional. Far from removing the difficulties which impede the execution of ſo miſchievous a project, I would heap new difficulties upon it, if it were in my power. All the ancient, honeſt juridical principles and inſtitutions of England are ſo many clogs to check and retard the headlong courſe of violence and oppreſſion. They were invented for this one good purpoſe; that what was not juſt ſhould not be convenient. Convinced of this, I would leave things as I found them. The old, cool-headed, general law, is as good as any deviation dictated by preſent heat.

I could ſee no fair juſtifiable expedience pleaded to favour this new ſuſpenſion of the liberty of the ſubject. If the Engliſh in the colonies can ſupport the independency, to which they have been unfortunately driven, I ſuppoſe nobody has ſuch a fanatical zeal for the criminal juſtice of Henry the Eighth, that he will contend for executions which muſt be retaliated tenfold on his own friends; or who

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who has conceived ſo ſtrange an idea of Engliſh dignity, as to think the defeats in America compenſated by the triumphs at Tyburn. If on the contrary, the colonies are reduced to the obedience of the crown, there muſt be under that authority, tribunals in the country itſelf, fully competent to adminiſter juſtice on all offenders. But if there are not, and that we muſt ſuppoſe a thing ſo humiliating to our government, as that all this vaſt continent ſhould unanimouſly concur in thinking, that no ill fortune can convert reſiſtance to the royal authority into a criminal act, we may call the effect of our victory peace, or obedience, or what we will; but the war is not ended: the hoſtile mind continues in full vigour, and it continues under a worſe form. If your peace be nothing more than a ſullen pauſe from arms; if their quiet be nothing but the meditation of revenge, where ſmitten pride ſmarting from its wounds, feſters into new rancour, neither the act of Henry the Eighth, nor its handmaid of this reign, will anſwer any wiſe end of policy or juſtice. For if the bloody fields, which they ſaw and felt, are not ſufficient to ſubdue the reaſon of America (to uſe the expreſſive phraſe of a great lord in office) it is not the judicial ſlaughter, which is made in another hemiſphere againſt their univerſal ſenſe of juſtice, that will ever reconcile them to the Britiſh government.

I take

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I take it for granted, gentlemen, that we ſympathize in a proper horrour of all puniſhment further than as it ſerves for an example. To whom then does the example of an execution in England for this American rebellion apply? Remember, you are told every day, that the preſent is a conteſt between the two countries; and that we in England are at war for *our own* dignity againſt our rebellious children. Is this true? If it be, it is ſurely among ſuch rebellious children that examples for diſobedience ſhould be made, to be in any degree inſtructive: for who ever thought of teaching parents their duty by an example from the puniſhment of an undutiful ſon? As well might the execution of a fugitive negro in the plantations, be conſidered as a leſſon to teach maſters humanity to their ſlaves. Such executions may indeed ſatiate our revenge; they may harden our hearts, and puff us up with pride and arrogance. Alas! this is not inſtruction!

If any thing can be drawn from ſuch examples by a parity of the caſe, it is to ſhew, how deep their crime and how heavy their puniſhment will be who ſhall at any time dare to reſiſt a diſtant power actually diſpoſing of their property, without their voice or conſent to the diſpoſition; and overturning their franchiſes without charge or hearing. God forbid that England ſhould ever

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read this leſſon written in the blood of *any* of her offspring!

War is at preſent carried on between the king's natural and foreign troops, on one ſide, and the Engliſh in America on the other, upon the uſual footing of other wars; and accordingly an exchange of priſoners has been regularly made from the beginning. If notwithſtanding this hitherto equal procedure, upon ſome proſpect of ending the war with ſucceſs (which however may be deluſive) adminiſtration prepares to act againſt thoſe as *traitors* who remain in their hands at the end of the troubles, in my opinion we ſhall exhibit to the world as indecent a piece of injuſtice as ever civil fury has produced. If the priſoners who have been exchanged, have not by that exchange been *virtually pardoned*, the cartel (whether avowed or underſtood) is a cruel fraud; for you have received the life of a man, and you ought to return a life for it, or there is no parity or fairneſs in the tranſaction.

If on the other hand, we admit, that they, who are actually exchanged are pardoned, but contend that you may juſtly reſerve for vengeance, thoſe who remain unexchanged; then this unpleaſant and unhandſome conſequence will follow; that you judge of the delinquency of men merely by the time of their guilt, and not by the heinouſneſs of it; and you make fortune and accidents,

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and not the moral qualities of human action, the rule of your juſtice.

Theſe ſtrange incongruities muſt ever perplex thoſe, who confound the unhappineſs of civil diſſention, with the crime of treaſon. Whenever a rebellion really and truly exiſts, which is as eaſily known in fact, as it is difficult to define in words, government has not entered into ſuch military conventions; but has ever declined all intermediate treaty, which ſhould put rebels in poſſeſſion of the law of nations with regard to war. Commanders would receive no benefits at their hands, becauſe they could make no return for them. Who has ever heard of capitulation, and parole of honour, and exchange of priſoners in the late rebellions in this kingdom? The anſwer to all demands of that ſort was, "we can engage for no-"thing; you are at the king's pleaſure." We ought to remember, that if our preſent enemies be, in reality and truth, rebels, the king's generals have no right to releaſe them upon any conditions whatſoever; and they are themſelves anſwerable to the law, and as much in want of a pardon for doing ſo, as the rebels whom they releaſe.

Lawyers, I know, cannot make the diſtinction, for which I contend; becauſe they have their ſtrict rule to go by. But legiſlators ought to do what lawyers cannot; for they have no other rules to bind them, but the great principles of reaſon

reaſon and equity, and the general ſenſe of mankind. Theſe they are bound to obey and follow; and rather to enlarge and enlighten law by the liberality of legiſlative reaſon, than to fetter and bind their higher capacity by the narrow conſtructions of ſubordinate artificial juſtice. If we had adverted to this, we never could conſider the convulſions of a great empire, not diſturbed by a little diſſeminated faction, but divided by whole communities and provinces, and entire legal repreſentatives of a people, as fit matter of diſcuſſion under a commiſſion of Oyer and Terminer. It is as oppoſite to reaſon and prudence, as it is to humanity and juſtice.

This act, proceeding on theſe principles, that is, preparing to end the preſent troubles by a trial of one ſort of hoſtility, under the name of piracy, and of another by the name of treaſon, and executing the act of Henry the Eighth according to a new and unconſtitutional interpretation, I have thought evil and dangerous, even though the inſtruments of effecting ſuch purpoſes had been merely of a neutral quality.

But it really appears to me, that the means which this act employs are, at leaſt, as exceptionable as the end. Permit me to open myſelf a little upon this ſubject, becauſe it is of importance to me, when I am obliged to ſubmit to the power without acquieſcing in the reaſon of an act of le-



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giſlature, that I ſhould juſtify my diſſent, by ſuch arguments as may be ſuppoſed to have weight with a ſober man.

The main operative regulation of the act is to ſuſpend the common law, and the ſtatute *Habeas Corpus*, (the ſole ſecurities either for liberty or juſtice) with regard to all thoſe who have been out of the realm, or on the high ſeas, within a given time. The reſt of the people, as I underſtand, are to continue as they ſtood before.

I confeſs, gentlemen, that this appears to me, as bad in the principle, and far worſe in its conſequence, than an univerſal ſuſpenſion of the *Habeas Corpus* act; and the limiting qualification, inſtead of taking out the ſting, does in my humble opinion ſharpen and envenom it to a greater degree. Liberty, if I underſtand it at all, is a *general* principle, and the clear right of all the ſubjects within the realm, or of none. Partial freedom ſeems to me a moſt invidious mode of ſlavery. But unfortunately, it is the kind of ſlavery the moſt eaſily admitted in times of civil diſcord; for parties are but too apt to forget their own future ſafety in their deſire of ſacrificing their enemies. People without much difficulty admit the entrance of that injuſtice of which they are not to be the immediate victims. In times of high proceeding it is never the faction of the predominant power that is in danger; for no tyranny chaſtiſes its own inſtruments.

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ſtruments. It is the obnoxious and the ſuſpected who want the protection of law; and there is nothing to bridle the partial violence of ſtate factions, but this; "that whenever an act is made for a "ceſſation of law and juſtice, the whole people "ſhould be univerſally ſubjected to the ſame ſuſ- "penſion of their franchiſes." The alarm of ſuch a proceeding would then be univerſal. It would operate as a ſort of *Call of the nation.* It would become every man's immediate and inſtant concern to be made very ſenſible of *the abſolute neceſſity* of this total eclipſe of liberty. They would more carefully advert to every renewal, and more powerfully reſiſt it. Theſe great determined meaſures are not commonly ſo dangerous to freedom. They are marked with too ſtrong lines to ſlide into uſe. No plea, nor pretence of *inconvenience or evil example* (which muſt in their nature be daily and ordinary incidents) can be admitted as a reaſon for ſuch mighty operations. But the true danger is, when liberty is nibbled away, for expedients, and by parts. The *Habeas Corpus* act ſuppoſes, contrary to the genius of moſt other laws, that the lawful magiſtrate may ſee particular men with a malignant eye, and it provides for that identical caſe. But when men, in particular deſcriptions, marked out by the magiſtrate himſelf, are delivered over by parliament to this poſſible malignity, it is not the *Habeas Corpus* that is occaſionally ſuſ-



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pended, but its ſpirit, that is miſtaken, and its principle that is ſubverted. Indeed nothing is ſecurity to any individual but the common intereſt of all.

This act therefore, has this diſtinguiſhed evil in it, that it is the firſt *partial* ſuſpenſion of the *Habeas Corpus* that has been made. The precedent, which is always of very great importance, is now eſtabliſhed. For the firſt time a diſtinction is made among the people within this realm. Before this act, every man putting his foot on Engliſh ground, every ſtranger owing only a local and temporary allegiance, even negro ſlaves who had been ſold in the colonies and under an act of parliament, became as free as every other man who breathed the ſame air with them. Now a line is drawn, which may be advanced further and further at pleaſure, on the ſame argument of mere expedience, on which it was firſt deſcribed. There is no equality among us; we are not fellow citizens, if the mariner who lands on the quay, does not reſt on as firm legal ground as the merchant who ſits in his compting-houſe. Other laws may injure the community, this diſſolves it. As things now ſtand, every man in the Weſt Indies, every one inhabitant of three unoffending provinces on the continent, every perſon coming from the Eaſt Indies, every gentleman who has travelled for his health or education, every mariner who has navigated

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gated the ſeas, is, for no other offence, under a temporary proſcription. Let any of theſe facts (now become preſumptions of guilt) be proved againſt him, and the bare ſuſpicion of the crown puts him out of the law. It is even by no means clear to me, whether the negative proof does not lie upon the perſon apprehended on ſuſpicion, to the ſubverſion of all juſtice.

I have not debated againſt this bill in its progreſs through the houſe; becauſe it would have been vain to oppoſe, and impoſſible to correct it. It is ſome time ſince I have been clearly convinced, that in the preſent ſtate of things all oppoſition to any meaſures propoſed by miniſters, where the name of America appears, is vain and frivolous. You may be ſure that I do not ſpeak of my oppoſition, which in all circumſtances muſt be ſo; but that of men of the greateſt wiſdom and authority in the nation. Every thing propoſed againſt America is ſuppoſed of courſe to be in favour of Great Britain. Good and ill ſucceſs are equally admitted as reaſons for perſevering in the preſent methods. Several very prudent, and very well-intentioned perſons were of opinion, that during the prevalence of ſuch diſpoſitions, all ſtruggle rather inflamed than leſſened the diſtemper of the publick counſels. Finding ſuch reſiſtance to be conſidered as factious by moſt within doors, and by very many without, I cannot conſcientiouſly



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ſupport what is againſt my opinion, nor prudently contend with what I know is irreſiſtible. Preſerving my principles unſhaken, I reſerve my activity for rational endeavours; and I hope that my paſt conduct has given ſufficient evidence, that if I am a ſingle day from my place, it is not owing to indolence or love of diſſipation. The ſlighteſt hope of doing good is ſufficient to recal me to what I quitted with regret. In declining for ſome time my uſual ſtrict attendance, I do not in the leaſt condemn the ſpirit of thoſe gentlemen, who with a juſt confidence in their abilities, (in which I claim a ſort of ſhare from my love and admiration of them) were of opinion that their exertions in this deſperate caſe might be of ſome ſervice. They thought, that by contracting the ſphere of its application, they might leſſen the malignity of an evil principle. Perhaps they were in the right. But when my opinion was ſo very clearly to the contrary, for the reaſons I have juſt ſtated, I am ſure *my* attendance would have been ridiculous.

I muſt add in further explanation of my conduct, that far from ſoftening the features of ſuch a principle, and thereby removing any part of the popular odium or natural terrours attending it, I ſhould be ſorry, that any thing framed in contradiction to the ſpirit of our conſtitution did not inſtantly produce in fact, the groſſeſt of the evils, with which it was pregnant in its nature. It is

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by lying dormant a long time, or being at firſt very rarely exerciſed, that arbitrary power ſteals upon a people. On the next unconſtitutional act, all the faſhionable world will be ready to ſay—Your prophecies are ridiculous, your fears are vain, you ſee how little of the miſchiefs which you formerly foreboded are come to paſs. Thus, by degrees, that artful ſoftening of all arbitrary power, the alleged infrequency or narrow extent of its operation, will be received as a ſort of aphoriſm—and Mr. *Hume* will not be ſingular in telling us, that the felicity of mankind is no more diſturbed by it, than by earthquakes or thunder, or the other more unuſual accidents of nature.

The act of which I ſpeak is among the fruits of the American war; a war in my humble opinion productive of many miſchiefs, of a kind which diſtinguiſh it from all others. Not only our policy is deranged, and our empire diſtracted, but our laws and our legiſlative ſpirit appear to have been totally perverted by it. We have made war on our colonies, not by arms only, but by laws. As hoſtility and law are not very concordant ideas, every ſtep we have taken in this buſineſs, has been made by trampling on ſome maxim of juſtice, or ſome capital principle of wiſe government. What precedents were eſtabliſhed, and what principles overturned, (I will not ſay of Engliſh privilege, but of general juſtice) in the Boſton Port, the



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Maſſachuſet's Charter, the Military Bill, and all that long array of hoſtile acts of parliament, by which the war with America has been begun and ſupported! Had the principles of any of theſe acts been firſt exerted on Engliſh ground, they would probably have expired as ſoon as they touched it. But by being removed from our perſons, they have rooted in our laws; and the lateſt poſterity will taſte the fruits of them.

Nor is it the worſt effect of this unnatural contention, that our *laws* are corrupted. Whilſt *manners* remain entire, they will correct the vices of law, and ſoften it at length to their own temper. But we have to lament, that in moſt of the late proceedings we ſee very few traces of that generoſity, humanity, and dignity of mind which formerly characteriſed this nation. War ſuſpends the rules of moral obligation, and what is long ſuſpended is in danger of being totally abrogated. Civil wars ſtrike deepeſt of all into the manners of the people. They vitiate their politicks; they corrupt their morals; they pervert even the natural taſte and reliſh of equity and juſtice. By teaching us to conſider our fellow citizens in a hoſtile light, the whole body of our nation becomes gradually leſs dear to us. The very names of affection and kindred, which were the bond of charity whilſt we agreed, become new incentives to hatred and rage, when the communion of our country is diſſolved.

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ſolved. We may flatter ourſelves that we ſhall not fall into this misfortune. But we have no charter of exemption, that I know of, from the ordinary frailties of our nature.

What but that blindneſs of heart which ariſes from the phrenzy of civil contention, could have made any perſons conceive the preſent ſituation of the Britiſh affairs as an object of triumph to themſelves, or of congratulation to their ſovereign? Nothing ſurely could be more lamentable to thoſe who remember the flouriſhing days of this kingdom, than to ſee the inſane joy of ſeveral unhappy people, amidſt the ſad ſpectacle which our affairs and conduct exhibit to the ſcorn of Europe. We behold, (and it ſeems ſome people rejoice in beholding) our native land, which uſed to ſit the envied arbiter of all her neighbours, reduced to a ſervile dependance on their mercy; acquieſcing in aſſurances of friendſhip which ſhe does not truſt; complaining of hoſtilities which ſhe dares not reſent; deficient to her allies; lofty to her ſubjects, and ſubmiſſive to her enemies; whilſt the liberal government of this free nation is ſupported by the hireling ſword of German boors and vaſſals; and three millions of the ſubjects of Great Britain are ſeeking for protection to Engliſh privileges in the arms of France!

Theſe circumſtances appear to me more like ſhocking

ſhocking prodigies, than natural changes in human affairs. Men of firmer minds may ſee them without ſtaggering or aſtoniſhment.—Some may think them matters of congratulation and complimentary addreſſes; but I truſt your candour will be ſo indulgent to my weakneſs, as not to have the worſe opinion of me for my declining to participate in this joy; and my rejecting all ſhare whatſoever in ſuch a triumph. I am too old, too ſtiff in my inveterate partialities, to be ready at all the faſhionable evolutions of opinion. I ſcarcely know how to adapt my mind to the feelings with which the court gazettes mean to impreſs the people. It is not inſtantly that I can be brought to rejoice, when I hear of the ſlaughter and captivity of long liſts of thoſe names which have been familiar to my ears from my infancy, and to rejoice that they have fallen under the ſword of ſtrangers, whoſe barbarous appellations I ſcarcely know how to pronounce. The glory acquired at the White Plains by Colonel Rahl, has no charms for me; and I fairly acknowledge, that I have not yet learned to delight in finding Fort Kniphauſen in the heart of the Britiſh dominions.

It might be ſome conſolation for the loſs of our old regards, if our reaſon were enlightened in proportion as our honeſt prejudices are removed. Wanting feelings for the honour of our country,

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we might then in cold blood be brought to think a little of our intereſts as individual citizens, and our private conſcience as moral agents.

Indeed our affairs are in a bad condition. I do aſſure thoſe gentlemen who have prayed for war, and obtained the bleſſing they have ſought, that they are at this inſtant in very great ſtraits. The abuſed wealth of this country continues a little longer to feed its diſtemper. As yet they, and their German allies of twenty hireling ſtates, have contended only with the unprepared ſtrength of our own infant colonies. But America is not ſubdued. Not one unattacked village which was originally adverſe throughout that vaſt continent, has yet ſubmitted from love or terrour. You have the ground you encamp on; and you have no more. The cantonments of your troops and your dominions are exactly of the ſame extent. You ſpread devaſtation, but you do not enlarge the ſphere of authority.

The events of this war are of ſo much greater magnitude than thoſe who either wiſhed or feared it, ever looked for, that this alone ought to fill every conſiderate mind with anxiety and diffidence. Wiſe men often tremble at the very things which fill the thoughtleſs with ſecurity. For many reaſons I do not chooſe to expoſe to publick view, all the particulars of the ſtate in which you ſtood with regard to foreign powers, during the whole courſe of

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of the laſt year. Whether you are yet wholly out of danger from them, is more than I know, or than your rulers can divine. But even if I were certain of my ſafety, I could not eaſily forgive thoſe who had brought me into the moſt dreadful perils, becauſe by accidents, unforeſeen by them or me, I have eſcaped.

Believe me, gentlemen, the way ſtill before you is intricate, dark, and full of perplexed and treacherous mazes. Thoſe who think they have the clue, may lead us out of this labyrinth. We may truſt them as amply as we think proper; but as they have moſt certainly a call for all the reaſon which their ſtock can furniſh, why ſhould we think it proper to diſturb its operation by inflaming their paſſions? I may be unable to lend an helping hand to thoſe who direct the ſtate; but I ſhould be aſhamed to make myſelf one of a noiſy multitude to hollow and hearten them into doubtful and dangerous courſes. A conſcientious man would be cautious how he dealt in blood. He would feel ſome apprehenſion at being called to a tremendous account for engaging in ſo deep a play, without any ſort of knowledge of the game. It is no excuſe for preſumptuous ignorance, that it is directed by inſolent paſſion. The pooreſt being that crawls on earth, contending to ſave itſelf from injuſtice and oppreſſion, is an object reſpectable in the eyes of God and man. But I cannot conceive any exiſtence

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iſtence under heaven, (which in the depths of its wiſdom, tolerates all ſorts of things) that is more truly odious and diſguſting, than an impotent helpleſs creature, without civil wiſdom or military ſkill, without a conſciouſneſs of any other qualification for power but his ſervility to it, bloated with pride and arrogance, calling for battles which he is not to fight, contending for a violent dominion which he can never exerciſe, and ſatisfied to be himſelf mean and miſerable, in order to render others contemptible and wretched.

If you and I find our talents not of the great and ruling kind, our conduct at leaſt, is conformable to our faculties. No man's life pays the forfeit of our raſhneſs. No deſolate widow weeps tears of blood over our ignorance. Scrupulous and ſober in a well-grounded diſtruſt of ourſelves, we would keep in the port of peace and ſecurity; and perhaps in recommending to others ſomething of the ſame diffidence, we ſhould ſhew ourſelves more charitable to their welfare, than injurious to their abilities.

There are many circumſtances in the zeal ſhewn for civil war, which ſeem to diſcover but little of real magnanimity. The addreſſers offer their own perſons, and they are ſatisfied with hiring Germans. They promiſe their private fortunes, and they mortgage their country. They have all the merit of volunteers, without riſk of perſon on charge

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charge of contribution; and when the unfeeling arm of a foreign ſoldiery pours out their kindred blood like water, they exult and triumph as if they themſelves had performed ſome notable exploit. I am really aſhamed of the faſhionable language which has been held for ſome time paſt; which to ſay the beſt of it, is full of levity. You know, that I allude to the general cry againſt the cowardice of the Americans, as if we deſpiſed them for not making the king's ſoldiery purchaſe the advantage they have obtained, at a dearer rate. It is not, gentlemen, it is not, to reſpect the diſpenſations of Providence, nor to provide any decent retreat in the mutability of human affairs. It leaves no medium between inſolent victory and infamous defeat. It tends to alienate our minds further and further from our natural regards, and to make an eternal rent and ſchiſm in the Britiſh nation. Thoſe who do not wiſh for ſuch a ſeparation, would not diſſolve that cement of reciprocal eſteem and regard, which can alone bind together the parts of this great fabrick. It ought to be our wiſh, as it is our duty, not only to forbear this ſtyle of outrage ourſelves, but to make every one as ſenſible as we can of the impropriety and unworthineſs of the tempers which give riſe to it, and which deſigning men are labouring with ſuch malignant induſtry to diffuſe amongſt us. It is our buſineſs to counteract them, if poſſible; if poſſible to awake

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our natural regards; and to revive the old partiality to the Engliſh name. Without ſomething of this kind I do not ſee how it is ever practicable really to reconcile with thoſe, whoſe affection, after all, muſt be the ſureſt hold of our government; and which is a thouſand times more worth to us, than the mercenary zeal of all the circles of Germany.

I can well conceive a country completely overrun, and miſerably waſted, without approaching in the leaſt to ſettlement. In my apprehenſion, as long as Engliſh government is attempted to be ſupported over Engliſhmen by the ſword alone, things will thus continue. I anticipate in my mind the moment of the final triumph of foreign military force. When that hour arrives, (for it may arrive) then it is, that all this maſs of weakneſs and violence will appear in its full light. If we ſhould be expelled from America, the deluſion of the partiſans of military government might ſtill continue. They might ſtill feed their imaginations with the poſſible good conſequences which might have attended ſucceſs. Nobody could prove the contrary by facts. But in caſe the ſword ſhould do all, that the ſword can do, the ſucceſs of their arms and the defeat of their policy, will be one and the ſame thing. You will never ſee any revenue from America. Some increaſe of the means of corruption, without eaſe of the publick burthens,

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burthens, is the very beſt that can happen. Is it for this that we are at war; and in ſuch a war?

As to the difficulties of laying once more the foundations of that government, which, for the ſake of conquering what was our own, has been voluntarily and wantonly pulled down by a court faction here, I tremble to look at them. Has any of theſe gentlemen, who are ſo eager to govern all mankind, ſhewn himſelf poſſeſſed of the firſt qualification towards government, ſome knowledge of the object, and of the difficulties which occur in the taſk they have undertaken?

I aſſure you, that on the moſt proſperous iſſue of your arms, you will not be where you ſtood, when you called in war to ſupply the defects of your political eſtabliſhment. Nor would any diſorder or diſobedience to government which could ariſe from the moſt abject conceſſion on our part, ever equal thoſe which will be felt, after the moſt triumphant violence. You have got all the intermediate evils of war into the bargain.

I think I know America. If I do not, my ignorance is incurable, for I have ſpared no pains to underſtand it; and I do moſt ſolemnly aſſure thoſe of my conſtituents who put any ſort of confidence in my induſtry and integrity, that every thing that has been done there has ariſen from a total miſconception of the object: that our means of originally holding America, that our means of reconciling

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conciling with it after quarrel, of recovering it after ſeparation, of keeping it after victory, did depend, and muſt depend, in their ſeveral ſtages and periods, upon a total renunciation of that unconditional ſubmiſſion, which has taken ſuch poſſeſſion of the minds of violent men. The whole of thoſe maxims, upon which we have made and continued this war, muſt be abandoned. Nothing indeed, (for I would not deceive you) can place us in our former ſituation. That hope muſt be laid aſide. But there is a difference between bad and the worſt of all. Terms relative to the cauſe of the war ought to be offered by the authority of parliament. An arrangement at home promiſing ſome ſecurity for them ought to be made. By doing this, without the leaſt impairing of our ſtrength, we add to the credit of our moderation, which in itſelf, is always ſtrength more or leſs.

I know many have been taught to think, that moderation, in a caſe like this, is a ſort of treaſon; and that all arguments for it are ſufficiently anſwered by railing at rebels and rebellion, and by charging all the preſent or future miſeries which we may ſuffer, on the reſiſtance of our brethren. But I would wiſh them, in this grave matter, and if peace is not wholly removed from their hearts, to conſider ſeriouſly, firſt, that to criminate and recriminate never yet was the road to reconciliation, in any difference amongſt men. In the next



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place, it would be right to reflect, that the American Engliſh (whom they may abuſe, if they think it honourable to revile the abſent) can, as things now ſtand, neither be provoked at our railing, or bettered by our inſtruction. All communication is cut off between us, but this we know with certainty, that though we cannot reclaim them, we may reform ourſelves. If meaſures of peace are neceſſary, they muſt begin ſomewhere; and a conciliatory temper muſt precede and prepare every plan of reconciliation. Nor do I conceive that we ſuffer any thing by thus regulating our own minds. We are not diſarmed by being diſencumbered of our paſſions. Declaiming on rebellion never added a bayonet, or a charge of powder to your military force; but I am afraid that it has been the means of taking up many muſkets againſt you.

This outrageous language, which has been encouraged and kept alive by every art, has already done incredible miſchief. For a long time, even amidſt the deſolations of war, and the inſults of hoſtile laws daily accumulated on one another; the American leaders ſeem to have had the greateſt difficulty in bringing up their people to a declaration of total independence. But the court gazette accompliſhed what the abettors of independence had attempted in vain. When that diſingenuous compilation, and ſtrange medley of railing and flattery, was adduced, as a proof of the united ſentiments

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ſentiments of the people of Great Britain, there was a great change throughout all America. The tide of popular affection, which had ſtill ſet towards the parent country, begun immediately to turn; and to flow with great rapidity in a contrary courſe. Far from concealing theſe wild declarations of enmity, the author of the celebrated pamphlet which prepared the minds of the people for independence, inſiſts largely on the multitude and the ſpirit of theſe addreſſes; and he draws an argument from them, which (if the fact were as he ſuppoſes) muſt be irreſiſtible. For I never knew a writer on the theory of government ſo partial to authority, as not to allow, that the hoſtile mind of the rulers to their people, did fully juſtify a change of government; nor can any reaſon whatever be given, why one people ſhould voluntarily yield any degree of pre-eminence to another, but on a ſuppoſition of great affection and benevolence towards them. Unfortunately your rulers, truſting to other things, took no notice of this great principle of connection. From the beginning of this affair, they have done all they could to alienate your minds from your own kindred; and if they could excite hatred enough in one of the parties towards the other, they ſeemed to be of opinion that they had gone half the way towards reconciling the quarrel.

I know it is ſaid, that your kindneſs is only



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alienated on account of their reſiſtance; and therefore if the colonies ſurrender at diſcretion, all ſort of regard, and even much indulgence is meant towards them in future. But can thoſe who are partiſans for continuing a war to enforce ſuch a ſurrender, be reſponſible, (after all that has paſſed) for ſuch a future uſe of a power, that is bound by no compacts, and reſtrained by no terror? Will they tell us what they call indulgencies? Do they not at this inſtant call the preſent war and all its horrours, a lenient and merciful proceeding?

No conqueror, that I ever heard of, has *profeſſed* to make a cruel, harſh, and inſolent uſe of his conqueſt. No! The man of the moſt declared pride, ſcarcely dares to truſt his own heart, with this dreadful ſecret of ambition. But it will appear in its time; and no man who profeſſes to reduce another to the inſolent mercy of a foreign arm, ever had any ſort of good-will towards him. The profeſſion of kindneſs, with that ſword in his hand, and that demand of ſurrender, is one of the moſt provoking acts of his hoſtility. I ſhall be told, that all this is lenient as againſt rebellious adverſaries. But are the leaders of their faction more lenient to thoſe who ſubmit? Lord Howe and General Howe have powers under an act of parliament, to reſtore to the king's peace and to free trade any men, or diſtrict, which ſhall ſubmit. Is this done? We have been over and over informed

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formed by the authorized gazette, that the city of New York, and the countries of Staten and Long Iſland have ſubmitted voluntarily and cheerfully, and that many are very full of zeal to the cauſe of adminiſtration. Were they inſtantly reſtored to trade? Are they yet reſtored to it? Is not the benignity of two commiſſioners, naturally moſt humane and generous men, ſome way fettered by inſtructions, equally againſt their diſpoſitions and the ſpirit of parliamentary faith; when Mr. Tryon, vaunting of the fidelity of the city in which he is governour, is obliged to apply to miniſtry for leave to protect the king's loyal ſubjects, and to grant to them (not the diſputed rights and privileges of freedom) but the common rights of men, by the name of *graces?* Why do not the commiſſioners reſtore them on the ſpot? Were they not named as commiſſioners for that expreſs purpoſe? But we ſee well enough to what the whole leads. The trade of America is to be dealt out in *private indulgencies and graces*; that is in jobs to recompenſe the incendiaries of war. They will be informed of the proper time in which to ſend out their merchandiſe. From a national, the American trade is to be turned into a perſonal monopoly: and one ſet of merchants are to be rewarded for the pretended zeal, of which another ſet are the dupes; and thus between craft and credulity, the voice of



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reaſon is ſtifled; and all the miſconduct, all the calamities of the war are covered and continued.

If I had not lived long enough to be little ſurpriſed at any thing, I ſhould have been in ſome degree aſtoniſhed at the continued rage of ſeveral gentlemen, who not ſatisfied with carrying fire and ſword into America, are animated nearly with the ſame fury againſt thoſe neighbours of theirs, whoſe only crime it is, that they have charitably and humanely wiſhed them to entertain more reaſonable ſentiments, and not always to ſacrifice their intereſt to their paſſion. All this rage againſt unreſiſting diſſent, convinces me, that at bottom, they are far from ſatisfied they are in the right. For what is it they would have? A war? They certainly have at this moment the bleſſing of ſomething that is very like one; and if the war they enjoy at preſent be not ſufficiently hot and extenſive, they may ſhortly have it as warm and as ſpreading as their hearts can deſire. Is it the force of the kingdom they call for? They have it already; and if they chooſe to fight their battles in their own perſon, no body prevents their ſetting ſail to America in the next tranſports. Do they think, that the ſervice is ſtinted for want of liberal ſupplies? Indeed they complain without reaſon. The table of the houſe of commons will glut them, let their appetite for expence be never ſo keen.

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And I assure them further, that those who think with them in the house of commons are full as easy in the control, as they are liberal in the vote of these expences. If this be not supply or confidence sufficient, let them open their own private purse strings and give from what is left to them, as largely and as with as little care as they think proper.

Tolerated in their passions, let them learn not to persecute the moderation of their fellow citizens. If all the world joined them in a full cry against rebellion, and were as hotly inflamed against the whole theory and enjoyment of freedom, as those who are the most factious for servitude, it could not in my opinion answer any one end whatsoever in this contest. The leaders of this war could not hire (to gratify their friends) one German more, than they do; or inspire him with less feeling for the persons, or less value for the privileges of their revolted brethren. If we all adopted their sentiments to a man, their allies the savage Indians, could not be more ferocious than they are: they could not murder one more helpless woman or child, or with more exquisite refinements of cruelty, torment to death one more of their English flesh and blood, than they do already. The publick money is given to purchase this alliance;—and they have their bargain.



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They are continually boaſting of unanimity, or calling for it. But before this unanimity can be matter either of wiſh or congratulation, we ought to be pretty ſure, that we are engaged in a rational purſuit. Phrenſy does not become a ſlighter diſtemper on account of the number of thoſe who may be infected with it. Deluſion and weakneſs produce not one miſchief the leſs, becauſe they are univerſal. I declare, that I cannot diſcern the leaſt advantage which could accrue to us, if we were able to perſuade our colonies that they had not a ſingle friend in Great Britain. On the contrary, if the affections and opinions of mankind be not exploded as principles of connection, I conceive it would be happy for us, if they were taught to believe, that there was even a formed American party in England, to whom they could always look for ſupport! Happy would it be for us, if in all tempers, they might turn their eyes to the parent ſtate; ſo that their very turbulence and ſedition ſhould find vent in no other place than this. I believe there is not a man (except thoſe who prefer the intereſt of ſome paltry faction to the very being of their country) who would not wiſh that the Americans ſhould from time to time carry many points, and even ſome of them not quite reaſonable, by the aid of any denomination of men here, rather than they ſhould be driven to ſeek for

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for protection againſt the fury of foreign mercenaries, and the waſte of ſavages, in the arms of France.

When any community is ſubordinately connected with another, the great danger of the connection is the extreme pride and ſelf-complacency of the ſuperiour, which in all matters of controverſy will probably decide in its own favour. It is a powerful corrective to ſuch a very rational cauſe of fear, if the inferiour body can be made to believe, that the party inclination or political views of ſeveral in the principal ſtate, will induce them in ſome degree to counteract this blind and tyrannical partiality. There is no danger that any one acquiring conſideration or power in the preſiding ſtate ſhould carry this leaning to the inferiour too far. The fault of human nature is not of that ſort. Power in whatever hands is rarely guilty of too ſtrict limitations on itſelf. But one great advantage to the ſupport of authority attends ſuch an amicable and protecting connection, that thoſe who have conferred favours obtain influence; and from the foreſight of future events can perſuade men, who have received obligations, ſometimes to return them. Thus by the mediation of thoſe healing principles, (call them good or evil) troubleſome diſcuſſions are brought to ſome ſort of adjuſtment; and every hot controverſy is not a civil war.

But, if the colonies (to bring the general matter

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ter home to us) could ſee, that in Great Britain the maſs of the people is melted into its government, and that every diſpute with the miniſtry, muſt of neceſſity be always a quarrel with the nation; they can ſtand no longer in the equal and friendly relation of fellow-citizens to the ſubjects of this kingdom. Humble as this relation may appear to ſome, when it is once broken, a ſtrong tie is diſſolved. Other ſort of connections will be ſought. For, there are very few in the world, who will not prefer an uſeful ally to an inſolent maſter.

Such diſcord has been the effect of the unanimity into which ſo many have of late been ſeduced or bullied, or into the appearance of which they have ſunk through mere deſpair. They have been told that their diſſent from violent meaſures is an encouragement to rebellion. Men of great preſumption and little knowledge will hold a language which is contradicted by the whole courſe of hiſtory. *General* rebellions and revolts of an whole people never were *encouraged*, now or at any time. They are always *provoked*. But if this unheard-of doctrine of the encouragement of rebellion were true, if it were true that an aſſurance of the friendſhip of numbers in this country towards the colonies, could become an encouragement to them to break off all connection with it, what is the inference? Does any body ſeriouſly maintain, that

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charged with my ſhare of the publick councils, I am obliged not to reſiſt projects which I think miſchievous, leſt men who ſuffer ſhould be encouraged to reſiſt? The very tendency of ſuch projects to produce rebellion is one of the chief reaſons againſt them. Shall that reaſon not be given? Is it then a rule, that no man in this nation ſhall open his mouth in favour of the colonies, ſhall defend their rights, or complain of their ſufferings? Or when war finally breaks out, no man ſhall expreſs his deſires of peace? Has this been the law of our paſt, or is it to be the terms of our future connection? Even looking no further than ourſelves, can it be true loyalty to any government, or true patriotiſm towards any country, to degrade their ſolemn councils into ſervile drawing-rooms, to flatter their pride and paſſions, rather than to enlighten their reaſon, and to prevent them from being cautioned againſt violence leſt others ſhould be encouraged to reſiſtance? By ſuch acquieſcence great kings and mighty nations have been undone; and if any are at this day in a perilous ſituation from rejecting truth, and liſtening to flattery, it would rather become them to reform the errours under which they ſuffer, than to reproach thoſe who forewarned them of their danger.

But the rebels looked for aſſiſtance from this country. They did ſo in the beginning of this controverſy

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controverſy moſt certainly; and they ſought it by earneſt ſupplications to government, which dignity rejected, and by a ſuſpenſion of commerce, which the wealth of this nation enabled you to deſpiſe. When they found that neither prayers nor menaces had any ſort of weight, but that a firm reſolution was taken to reduce them to unconditional obedience by a military force, they came to the laſt extremity. Deſpairing of us, they truſted in themſelves. Not ſtrong enough themſelves, they ſought ſuccour in France. In proportion as all encouragement here leſſened, their diſtance from this country increaſed. The encouragement is over; the alienation is complete.

In order to produce this favourite unanimity in deluſion, and to prevent all poſſibility of a return to our ancient happy concord, arguments for our continuance in this courſe, are drawn from the wretched ſituation itſelf into which we have been betrayed. It is ſaid, that being at war with the colonies, whatever our ſentiments might have been before, all ties between us are now diſſolved; and all the policy we have left is to ſtrengthen the hands of government to reduce them. On the principle of this argument, the more miſchiefs we ſuffer from any adminiſtration, the more our truſt in it is to be confirmed. Let them but once get us into a war, and then their power is ſafe, and an act of oblivion paſt for all their miſconduct.

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But is it really true, that government is always to be ſtrengthened with the inſtruments of war, but never furniſhed with the means of peace? In former times miniſters, I allow, have been ſometimes driven by the popular voice to aſſert by arms the national honour againſt foreign powers. But the wiſdom of the nation has been far more clear, when thoſe miniſters have been compelled to conſult its intereſts by treaty. We all know that the ſenſe of the nation obliged the court of Charles the Second to abandon the *Dutch war*; a war next to the preſent the moſt impolitick which we ever carried on. The good people of England conſidered Holland as a ſort of dependency on this kingdom; they dreaded to drive it to the protection, or ſubject it to the power of France, by their own inconſiderate hoſtility. They paid but little reſpect to the court jargon of that day; nor were they inflamed by the pretended rivalſhip of the Dutch in trade; by the maſſacre at Amboyna, acted on the ſtage to provoke the publick vengeance; nor by declamations againſt the ingratitude of the United Provinces for the benefits England had conferred upon them in their infant ſtate. They were not moved from their evident intereſt by all theſe arts; nor was it enough to tell them, they were at war; that they muſt go through with it; and that the cauſe of the diſpute was loſt in the conſequences. The people of England

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land were then, as they are now, called upon to make government ſtrong. They thought it a great deal better to make it wiſe and honeſt.

When I was amongſt my conſtituents at the laſt ſummer aſſizes, I remember that men of all deſcriptions did then expreſs a very ſtrong deſire for peace, and no ſlight hopes of attaining it from the commiſſion ſent out by my Lord Howe. And it is not a little remarkable, that in proportion as every perſon ſhewed a zeal for the court meaſures, he was then earneſt in circulating an opinion of the extent of the ſuppoſed powers of that commiſſion. When I told them that Lord Howe had no powers to treat, or to promiſe ſatisfaction on any point whatſoever of the controverſy, I was hardly credited; ſo ſtrong and general was the deſire of terminating this war by the method of accommodation. As far as I could diſcover, this was the temper then prevalent through the kingdom. The king's forces, it muſt be obſerved, had at that time been obliged to evacuate Boſton. The ſuperiority of the former campaign reſted wholly with the coloniſts. If ſuch powers of treaty were to be wiſhed, whilſt ſucceſs was very doubtful, how came they to be leſs ſo, ſince his majeſty's arms have been crowned with many conſiderable advantages? Have theſe ſucceſſes induced us to alter our mind, as thinking the ſeaſon of victory not the time for treating with honour or advantage?

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advantage? Whatever changes have happened in the national character, it can ſcarcely be our wiſh, that terms of accommodation never ſhould be propoſed to our enemy, except when they muſt be attributed ſolely to our fears. It has happened, let me ſay unfortunately, that we read of his majeſty's commiſſion for making peace, and his troops evacuating his laſt town in the thirteen colonies at the ſame hour, and in the ſame gazette. It was ſtill more unfortunate, that no commiſſion went to America to ſettle the troubles there until ſeveral months after an act had been paſſed to put the colonies out of the protection of this government, and to divide their trading property without a poſſibility of reſtitution, as ſpoil among the ſeamen of the navy. The moſt abject ſubmiſſion on the part of the colonies could not redeem them. There was no man on that whole continent, or within three thouſand miles of it, qualified by law to follow allegiance with protection, or ſubmiſſion with pardon. A proceeding of this kind has no example in hiſtory. Independency, and independency with an enmity (which putting ourſelves out of the queſtion would be called natural and much provoked) was the inevitable conſequence. How this came to paſs, the nation may be one day in an humour to inquire.

All the attempts made this ſeſſion to give fuller powers of peace to the commanders in America, were

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were ſtifled by the fatal confidence of victory, and the wild hopes of unconditional ſubmiſſion. There was a moment favourable to the king's arms, when if any powers of conceſſion had exiſted, on the other ſide of the Atlantick, even after all our errours, peace in all probability might have been reſtored. But calamity is unhappily the uſual ſeaſon of reflection; and the pride of men will not often ſuffer reaſon to have any ſcope until it can be no longer of ſervice.

I have always wiſhed, that as the diſpute had its apparent origin from things done in parliament, and as the acts paſſed there had provoked the war, that the foundations of peace ſhould be laid in parliament alſo. I have been aſtoniſhed to find, that thoſe whoſe zeal for the dignity of our body was ſo hot, as to light up the flames of civil war, ſhould even publickly declare, that theſe delicate points ought to be wholly left to the crown. Poorly as I may be thought affected to the authority of parliament, I ſhall never admit that our conſtitutional rights can ever become a matter of miniſterial negotiation.

I am charged with being an American. If warm affection towards thoſe over whom I claim any ſhare of authority, be a crime, I am guilty of this charge. But I do aſſure you (and they who know me publickly and privately will bear witneſs to me) that if ever one man lived, more zealous than another,

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another, for the ſupremacy of parliament, and the rights of this imperial crown, it was myſelf. Many others indeed might be more knowing in the extent of the foundation of theſe rights. I do not pretend to be an antiquary, a lawyer, or qualified for the chair of profeſſor in metaphyſicks. I never ventured to put your ſolid intereſts upon ſpeculative grounds. My having conſtantly declined to do ſo has been attributed to my incapacity for ſuch diſquiſitions; and I am inclined to believe it is partly the cauſe. I never ſhall be aſhamed to confeſs, that where I am ignorant I am diffident. I am indeed not very ſolicitous to clear myſelf of this imputed incapacity; becauſe men, even leſs converſant than I am, in this kind of ſubtleties, and placed in ſtations, to which I ought not to aſpire, have by the mere force of civil diſcretion, often conducted the affairs of great nations with diſtinguiſhed felicity and glory.

When I firſt came into a publick truſt, I found your parliament in poſſeſſion of an unlimited legiſlative power over the colonies. I could not open the ſtatute book, without ſeeing the actual exerciſe of it, more or leſs, in all caſes whatſoever. This poſſeſſion paſſed with me for a title. It does ſo in all human affairs. No man examines into the defects of his title to his paternal eſtate, or to his eſtabliſhed government. Indeed common ſenſe taught me, that a legiſlative authority, not actually limited by the expreſs terms of its foundation, or by its own



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ſubſequent acts, cannot have its powers parcelled out by argumentative diſtinctions, ſo as to enable us to ſay, that here they can, and there they cannot bind. Nobody was ſo obliging as to produce to me any record of ſuch diſtinctions, by compact or otherwiſe, either at the ſucceſſive formation of the ſeveral colonies, or during the exiſtence of any of them. If any gentlemen were able to ſee, how one power could be given up, (merely on abſtract reaſoning) without giving up the reſt, I can only ſay, that they ſaw further than I could; nor did I ever preſume to condemn any one for being clear-ſighted, when I was blind. I praiſe their penetration and learning; and hope that their practice has been correſpondent to their theory.

I had indeed very earneſt wiſhes to keep the whole body of this authority perfect and entire as I found it, and to keep it ſo, not for our advantage ſolely; but principally for the ſake of thoſe, on whoſe account all juſt authority exiſts; I mean the people to be governed. For I thought I ſaw, that many caſes might well happen, in which the exerciſe of every power comprehended in the broadeſt idea of legiſlature, might become in its time and circumſtances, not a little expedient for the peace and union of the colonies amongſt themſelves, as well as for their perfect harmony with Great Britain. Thinking ſo, (perhaps erroneouſly) but being honeſtly of that opinion, I was at the ſame time very ſure, that the authority of which I was

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I was ſo jealous, could not under the actual circumſtances of our plantations be at all preſerved in any of its members, but by the greateſt reſerve in its application; particularly in thoſe delicate points, in which the feelings of mankind are the moſt irritable. They who thought otherwiſe, have found a few more difficulties in their work, than (I hope) they were thoroughly aware of, when they undertook the preſent buſineſs. I muſt beg leave to obſerve, that it is not only the invidious branch of taxation that will be reſiſted, but that no other given part of legiſlative rights can be exerciſed, without regard to the general opinion of thoſe who are to be governed. That general opinion is the vehicle, and organ of legiſlative omnipotence. Without this, it may be a theory to entertain the mind, but it is nothing in the direction of affairs. The completeneſs of the legiſlative authority of parliament *over this kingdom* is not queſtioned; and yet many things indubitably included in the abſtract idea of that power, and which carry no abſolute injuſtice in themſelves, yet being contrary to the opinions and feelings of the people, can as little be exerciſed, as if parliament in that caſe had been poſſeſſed of no right at all. I ſee no abſtract reaſon, which can be given, why the ſame power which made and repealed the high commiſſion court and the ſtar-chamber, might not revive them again; and theſe



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courts, warned by their former fate, might poſſibly exerciſe their powers with ſome degree of juſtice. But the madneſs would be as unqueſtionable, as the competence of that parliament, which ſhould attempt ſuch things. If any thing can be ſuppoſed out of the power of human legiſlature, it is religion; I admit, however, that the eſtabliſhed religion of this country has been three or four times altered by act of parliament; and therefore that a ſtatute binds even in that caſe. But we may very ſafely affirm, that notwithſtanding this apparent omnipotence, it would be now found as impoſſible for king and parliament to alter the eſtabliſhed religion of this country, as it was to King James alone, when he attempted to make ſuch an alteration without a parliament. In effect, to follow, not to force the publick inclination; to give a direction, a form, a technical dreſs, and a ſpecifick ſanction, to the general ſenſe of the community, is the true end of legiſlature.

It is ſo with regard to the exerciſe of all the powers, which our conſtitution knows in any of its parts, and indeed to the ſubſtantial exiſtence of any of the parts themſelves. The king's negative to bills is one of the moſt indiſputed of the royal prerogatives; and it extends to all caſes whatſoever. I am far from certain, that if ſeveral laws, which I know, had fallen under the ſtroke of that ſceptre, that the publick would have had a

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very heavy loſs. But it is not the *propriety* of the exerciſe which is in queſtion. The exerciſe itſelf is wiſely foreborne. Its repoſe may be the preſervation of its exiſtence; and its exiſtence may be the means of ſaving the conſtitution itſelf, on an occaſion worthy of bringing it forth. As the diſputants, whoſe accurate and logical reaſonings have brought us into our preſent condition, think it abſurd, that powers or members of any conſtitution ſhould exiſt, rarely or ever to be exerciſed, I hope I ſhall be excuſed in mentioning another inſtance, that is material. We know, that the convocation of the clergy had formerly been called, and ſat with nearly as much regularity to buſineſs as parliament itſelf. It is now called for form only. It ſits for the purpoſe of making ſome polite eccleſiaſtical compliments to the king; and when that grace is ſaid, retires and is heard of no more. It is however *a part of the conſtitution*, and may be called out into act and energy, whenever there is occaſion; and whenever thoſe, who conjure up that ſpirit, will chooſe to abide the conſequences. It is wiſe to permit its legal exiſtence; it is much wiſer to continue it a legal exiſtence only. So truly has prudence, (conſtituted as the god of this lower world) the entire dominion over every exerciſe of power, committed into its hands; and yet I have lived to ſee prudence and conformity to circumſtances, wholly ſet at naught in our late



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controverſies, and treated as if they were the moſt contemptible and irrational of all things. I have heard it a hundred times very gravely alleged, that in order to keep power in wind, it was neceſſary, by preference, to exert it in thoſe very points in which it was moſt likely to be reſiſted, and the leaſt likely to be productive of any advantage.

Theſe were the conſiderations, gentlemen, which led me early to think, that, in the comprehenſive dominion which the Divine Providence had put into our hands, inſtead of troubling our underſtandings with ſpeculations concerning the unity of empire, and the identity or diſtinction of legiſlative powers, and inflaming our paſſions with the heat and pride of controverſy, it was our duty, in all ſoberneſs, to conform our government to the character and circumſtances of the ſeveral people who compoſed this mighty and ſtrangely diverſified maſs. I never was wild enough to conceive, that one method would ſerve for the whole; that the natives of Hindoſtan and thoſe of Virginia could be ordered in the ſame manner; or that the Cutchery court and the grand jury of Salem could be regulated on a ſimilar plan. I was perſuaded that government was a practical thing, made for the happineſs of mankind, and not to furniſh out a ſpectacle of uniformity, to gratify the ſchemes of viſionary politicians. Our buſineſs was

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was to rule, not to wrangle; and it would have been a poor compenſation that we had triumphed in a diſpute, whilſt we loſt an empire.

If there be one fact in the world perfectly clear, it is this: "That the diſpoſition of the people of "America is wholly averſe to any other than a "free government;" and this is indication enough to any honeſt ſtateſman, how he ought to adapt whatever power he finds in his hands to their caſe. If any aſk me what a free government is, I anſwer that, for any practical purpoſe, it is what the people think ſo; and that they, and not I, are the natural, lawful, and competent judges of this matter. If they practically allow me a greater degree of authority over them than is conſiſtent with any correct ideas of perfect freedom, I ought to thank them for ſo great a truſt, and not to endeavour to prove from thence, that they have reaſoned amiſs, and that having gone ſo far, by analogy, they muſt hereafter have no enjoyment but by my pleaſure.

If we had ſeen this done by any others, we ſhould have concluded them far gone in madneſs. It is melancholy as well as ridiculous, to obſerve the kind of reaſoning with which the publick has been amuſed, in order to divert our minds from the common ſenſe of our American policy. There are people, who have ſplit and anatomiſed the doctrine of free government, as if it were an abſtract queſtion concerning metaphyſical liberty and ne-



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ceſſity; and not a matter of moral prudence and natural feeling. They have diſputed, whether liberty be a poſitive or a negative idea; whether it does not conſiſt in being governed by laws; without conſidering what are the laws, or who are the makers; whether man has any rights by nature; and whether all the property he enjoys, be not the alms of his government, and his life itſelf their favour and indulgence. Others corrupting religion, as theſe have perverted philoſophy, contend, that Chriſtians are redeemed into captivity; and the blood of the Saviour of mankind has been ſhed to make them the ſlaves of a few proud and inſolent ſinners. Theſe ſhocking extremes, provoking to extremes of another kind, ſpeculations are let looſe as deſtructive to all authority, as the former are to all freedom; and every government is called tyranny and uſurpation which is not formed on their fancies. In this manner the ſtirrers-up of this contention, not ſatisfied with diſtracting our dependencies and filling them with blood and ſlaughter, are corrupting our underſtandings: they are endeavouring to tear up, along with practical liberty, all the foundations of human ſociety, all equity and juſtice, religion and order.

Civil freedom, gentlemen, is not, as many have endeavoured to perſuade you, a thing that lies hid in the depth of abſtruſe ſcience. It is a bleſſing and a benefit,

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a benefit, not an abſtract ſpeculation; and all the juſt reaſoning that can be upon it, is of ſo coarſe a texture, as perfectly to ſuit the ordinary capacities of thoſe who are to enjoy, and of thoſe who are to defend it. Far from any reſemblance to thoſe propoſitions in geometry and metaphyſicks, which admit no medium, but muſt be true or falſe in all their latitude; ſocial and civil freedom, like all other things in common life, are variouſly mixed and modified, enjoyed in very different degrees, and ſhaped into an infinite diverſity of forms, according to the temper and circumſtances of every community. The *extreme* of liberty (which is its abſtract perfection, but its real fault) obtains no where, nor ought to obtain any where. Becauſe extremes, as we all know, in every point which relates either to our duties or ſatisfactions in life, are deſtructive both to virtue and enjoyment. Liberty too muſt be limited in order to be poſſeſſed. The degree of reſtraint it is impoſſible in any caſe to ſettle preciſely. But it ought to be the conſtant aim of every wiſe publick counſel, to find out by cautious experiments, and rational, cool endeavours, with how little, not how much of this reſtraint, the community can ſubſiſt. For liberty is a good to be improved, and not an evil to be leſſened. It is not only a private bleſſing of the firſt order, but the vital ſpring and energy of the ſtate itſelf, which has juſt ſo much life and vigour as there

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there is liberty in it. But whether liberty be advantageous or not, (for I know it is a faſhion to decry the very principle) none will diſpute that peace is a bleſſing; and peace muſt in the courſe of human affairs be frequently bought by ſome indulgence and toleration at leaſt to liberty. For as the ſabbath, (though of divine inſtitution) was made for man, not man for the ſabbath, government, which can claim no higher origin or authority, in its exerciſe at leaſt, ought to conform to the exigencies of the time, and the temper and character of the people, with whom it is concerned; and not always to attempt violently to bend the people to their theories of ſubjection. The bulk of mankind on their part are not exceſſively curious concerning any theories, whilſt they are really happy; and one ſure ſymptom of an ill-conducted ſtate, is the propenſity of the people to reſort to them.

But when ſubjects, by a long courſe of ſuch ill conduct, are once thoroughly inflamed, and the ſtate itſelf violently diſtempered, the people muſt have ſome ſatisfaction to their feelings, more ſolid than a ſophiſtical ſpeculation on law and government. Such was our ſituation; and ſuch a ſatisfaction was neceſſary to prevent recourſe to arms; it was neceſſary towards laying them down; it will be neceſſary to prevent the taking them up again and again. Of what nature this ſatisfaction ought

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ought to be, I wiſh it had been the diſpoſition of parliament ſeriouſly to conſider. It was certainly a deliberation that called for the exertion of all their wiſdom.

I am, and ever have been deeply ſenſible, of the difficulty of reconciling the ſtrong preſiding power, that is ſo uſeful towards the conſervation of a vaſt, diſconnected, infinitely diverſified empire, with that liberty and ſafety of the provinces, which they muſt enjoy, (in opinion and practice at leaſt) or they will not be provinces at all. I know, and have long felt the difficulty of reconciling the unwieldy haughtineſs of a great ruling nation, habituated to command, pampered by enormous wealth, and confident from a long courſe of proſperity and victory, to the high ſpirit of free dependencies, animated with the firſt glow and activity of juvenile heat, and aſſuming to themſelves as their birthright, ſome part of that very pride which oppreſſes them. They who perceive no difficulty in reconciling theſe tempers, (which however to make peace muſt ſome way or other be reconciled) are much above my capacity, or much below the magnitude of the buſineſs. Of one thing I am perfectly clear, that it is not by deciding the ſuit, but by compromiſing the difference, that peace can be reſtored or kept. They who would put an end to ſuch quarrels, by declaring roundly in favour of the whole demands of either party,

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party, have miſtaken, in my humble opinion, the office of a mediator.

The war is now of full two years ſtanding; the controverſy of many more. In different periods of the diſpute, different methods of reconciliation were to be purſued. I mean to trouble you with a ſhort ſtate of things at the moſt important of theſe periods, in order to give you a more diſtinct idea of our policy with regard to this moſt delicate of all objects. The colonies were from the beginning ſubject to the legiſlature of Great Britain, on principles which they never examined; and we permitted to them many local privileges, without aſking how they agreed with that legiſlative authority. Modes of adminiſtration were formed in an inſenſible and very unſyſtematick manner. But they gradually adapted themſelves to the varying condition of things.—What was firſt a ſingle kingdom ſtretched into an empire; and an imperial ſuperintendency of ſome kind or other became neceſſary. Parliament from a mere repreſentative of the people, and a guardian of popular privileges for its own immediate conſtituents, grew into a mighty ſovereign. Inſtead of being a control on the crown on its own behalf, it communicated a ſort of ſtrength to the royal authority; which was wanted for the conſervation of a new object, but which could not be ſafely truſted to the crown alone. On the other hand, the

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the colonies advancing by equal ſteps, and governed by the ſame neceſſity, had formed within themſelves, either by royal inſtruction or royal charter, aſſemblies ſo exceedingly reſembling a parliament, in all their forms, functions, and powers, that it was impoſſible they ſhould not imbibe ſome opinion of a ſimilar authority.

At the firſt deſignation of theſe aſſemblies, they were probably not intended for any thing more, (nor perhaps did they think themſelves much higher) than the municipal corporations within this iſland, to which ſome at preſent love to compare them. But nothing in progreſſion can reſt on its original plan. We may as well think of rocking a grown man in the cradle of an infant. Therefore as the colonies proſpered and increaſed to a numerous and mighty people, ſpreading over a very great tract of the globe; it was natural that they ſhould attribute to aſſemblies, ſo reſpectable in their formal conſtitution, ſome part of the dignity of the great nations which they repreſented. No longer tied to by-laws, theſe aſſemblies made acts of all ſorts and in all caſes whatſoever. They levied money, not for parochial purpoſes, but upon regular grants to the crown, following all the rules and principles of a parliament to which they approached every day more and more nearly. Thoſe who think themſelves wiſer than Providence and ſtronger than the courſe of nature, may complain of

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of all this variation, on the one ſide or the other, as their ſeveral humours and prejudices may lead them. But things could not be otherwiſe; and Engliſh colonies muſt be had on theſe terms, or not had at all. In the mean time neither party felt any inconvenience from this double legiſlature, to which they had been formed by imperceptible habits, and old cuſtom, the great ſupport of all the governments in the world. Though theſe two legiſlatures were ſometimes found perhaps performing the very ſame functions, they did not very groſsly or ſyſtematically claſh. In all likelihood this aroſe from mere neglect; poſſibly from the natural operation of things, which left to themſelves, generally fall into their proper order. But whatever was the cauſe, it is certain that a regular revenue by the authority of parliament for the ſupport of civil and military eſtabliſhments, ſeems not to have been thought of until the colonies were too proud to ſubmit, too ſtrong to be forced, too enlightened not to ſee all the conſequences which muſt ariſe from ſuch a ſyſtem.

If ever this ſcheme of taxation was to be puſhed againſt the inclinations of the people, it was evident that diſcuſſions muſt ariſe, which would let looſe all the elements that compoſed this double conſtitution; would ſhew how much each of their members had departed from its original principles; and would diſcover contradictions in each legiſlature, as

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as well to its own firſt principles, as to its relation to the other, very difficult if not abſolutely impoſſible to be reconciled.

Therefore at the firſt fatal opening of this conteſt, the wiſeſt courſe ſeemed to be to put an end as ſoon as poſſible to the immediate cauſes of the diſpute; and to quiet a diſcuſſion, not eaſily ſettled upon clear principles, and ariſing from claims, which pride would permit neither party to abandon, by reſorting as nearly as poſſible to the old ſucceſsful courſe. A mere repeal of the obnoxious tax, with a declaration of the legiſlative authority of this kingdom, was then fully ſufficient to procure peace to *both ſides*. Man is a creature of habit, and the firſt breach being of very ſhort continuance, the colonies fell back exactly into their ancient ſtate. The congreſs has uſed an expreſſion with regard to this pacification, which appears to me truly ſignificant. After the repeal of the Stamp Act, "the colonies fell," ſays this aſſembly, "into their ancient ſtate of *unſuſpecting confidence* "*in the mother country.*" This unſuſpecting confidence is the true center of gravity amongſt mankind, about which all the parts are at reſt. It is this *unſuſpecting confidence* that removes all difficulties, and reconciles all the contradictions which occur in the complexity of all ancient puzzled political eſtabliſhments. Happy are the rulers which have the ſecret of preſerving it!

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The whole empire has reaſon to remember with eternal gratitude, the wiſdom and temper of that man and his excellent aſſociates, who, to recover this confidence, formed a plan of pacification in 1766. That plan, being built upon the nature of man, and the circumſtances and habits of the two countries, and not on any viſionary ſpeculations, perfectly anſwered its end, as long as it was thought proper to adhere to it. Without giving a rude ſhock to the dignity (well or ill underſtood) of this parliament, they gave perfect content to our dependencies. Had it not been for the mediatorial ſpirit and talents of that great man, between ſuch claſhing pretenſions and paſſions, we ſhould then have ruſhed headlong (I know what I ſay) into the calamities of that civil war, in which, by departing from his ſyſtem, we are at length involved; and we ſhould have been precipitated into that war, at a time, when circumſtances both at home and abroad were far, very far, more unfavourable unto us than they were at the breaking out of the preſent troubles.

I had the happineſs of giving my firſt votes in parliament for that pacification. I was one of thoſe almoſt unanimous members, who, in the neceſſary conceſſions of parliament, would as much as poſſible have preſerved its authority, and reſpected its honour. I could not at once tear from my heart prejudices which were dear to me, and which bore a reſem-

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a reſemblance to virtue. I had then, and I have ſtill my partialities. What parliament gave up I wiſhed to be given as of grace, and favour, and affection, and not as a reſtitution of ſtolen goods. High dignity relented as it was ſoothed; and a benignity from old acknowledged greatneſs had its full effect on our dependencies. Our unlimited declaration of legiſlative authority produced not a ſingle murmur. If this undefined power has become odious ſince that time, and full of horrour to the colonies, it is becauſe the *unſuſpicious confidence* is loſt, and the parental affection, in the boſom of whoſe boundleſs authority they repoſed their privileges, is become eſtranged and hoſtile.

It will be aſked, if ſuch was then my opinion of the mode of pacification, how I came to be the very perſon who moved, not only for a repeal of all the late coercive ſtatutes, but for mutilating by a poſitive law, the entireneſs of the legiſlative power of parliament, and cutting off from it the whole right of taxation? I anſwer, becauſe a different ſtate of things requires a different conduct. When the diſpute had gone to theſe laſt extremities (which no man laboured more to prevent than I did;) the conceſſions which had ſatisfied in the beginning, could ſatisfy no longer; becauſe the violation of tacit faith required explicit ſecurity. The ſame cauſe which has introduced all formal compacts and covenants among men made it ne-



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ceſſary. I mean habits of foreneſs, jealouſy, and diſtruſt. I parted with it, as with a limb; but as a limb to ſave the body; and I would have parted with more, if more had been neceſſary; any thing rather than a fruitleſs, hopeleſs, unnatural civil war. This mode of yielding, would, it is ſaid, give way to independency, without a war. I am perſuaded from the nature of things, and from every information, that it would have had a directly contrary effect. But if it had this effect, I confeſs that I ſhould prefer independency without war, to independency with it; and I have ſo much truſt in the inclinations and prejudices of mankind, and ſo little in any thing elſe, that I ſhould expect ten times more benefit to this kingdom from the affection of America, though under a ſeparate eſtabliſhment, than from her perfect ſubmiſſion to the crown and parliament, accompanied with her terrour, diſguſt, and abhorrence. Bodies tied together by ſo unnatural a bond of union, as mutual hatred, are only connected to their ruin.

One hundred and ten reſpectable members of parliament voted for that conceſſion. Many not preſent, when the motion was made, were of the ſentiments of thoſe who voted. I knew it would then have made peace. I am not without hopes that it would do ſo at preſent if it were adopted. No benefit, no revenue could be loſt by it; ſomething might poſſibly be gained by its conſequences.

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For be fully assured, that, of all the phantoms that ever deluded the fond hopes of a credulous world, a parliamentary revenue in the colonies is the most perfectly chimerical. Your breaking them to any subjection, far from relieving your burthens, (the pretext for this war,) will never pay that military force which will be kept up to the destruction of their liberties and yours. I risk nothing in this prophecy.

Gentlemen, you have my opinions on the present state of publick affairs. Mean as they may be in themselves, your partiality has made them of some importance. Without troubling myself to inquire whether I am under a formal obligation to it, I have a pleasure in accounting for my conduct to my constituents. I feel warmly on this subject, and I express myself as I feel. If I presume to blame any publick proceeding, I cannot be supposed to be personal. Would to God I could be suspected of it. My fault might be greater, but the publick calamity would be less extensive. If my conduct has not been able to make any impression on the warm part of that ancient and powerful party, with whose support I was not honoured at my election; on my side, my respect, regard, and duty to them is not at all lessened. I owe the gentlemen who compose it my most humble service in every thing. I hope that whenever any of them were pleased to command me, that they found me perfectly equal



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in my obedience. But flattery and friendſhip are very different things; and to miſlead is not to ſerve them. I cannot purchaſe the favour of any man by concealing from him what I think his ruin. By the favour of my fellow citizens, I am the repreſentative of an honeſt, well-ordered, virtuous city; of a people, who preſerve more of the original Engliſh ſimplicity, and purity of manners, than perhaps any other. You poſſeſs among you ſeveral men and magiſtrates of large and cultivated underſtandings; fit for any employment in any ſphere. I do, to the beſt of my power, act ſo as to make myſelf worthy of ſo honourable a choice. If I were ready, on any call of my own vanity or intereſt, or to anſwer any election purpoſe, to forſake principles, (whatever they are) which I had formed at a mature age, on full reflection, and which had been confirmed by long experience, I ſhould forfeit the only thing which makes you pardon ſo many errours and imperfections in me. Not that I think it fit for any one to rely too much on his own underſtanding; or to be filled with a preſumption, not becoming a chriſtian man, in his own perſonal ſtability and rectitude.

I hope I am far from that vain confidence, which almoſt always fails in trial. I know my weakneſs in all reſpects, as much at leaſt as any enemy I have; and I attempt to take ſecurity againſt it. The only method which has ever been found

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found effectual to preſerve any man againſt the corruption of nature and example, is an habit of life and communication of councils with the moſt virtuous and publick-ſpirited men of the age you live in. Such a ſociety cannot be kept without advantage or deſerted without ſhame. For this rule of conduct I may be called in reproach a *party man*; but I am little affected with ſuch aſperſions. In the way which they call party, I worſhip the conſtitution of your fathers; and I ſhall never bluſh for my political company. All reverence to honour, all idea of what it is, will be loſt out of the world, before it can be imputed as a fault to any man, that he has been cloſely connected with thoſe incomparable perſons, living and dead, with whom for eleven years I have conſtantly thought and acted. If I have wandered out of the paths of rectitude, into thoſe of intereſted faction, it was in company with the Saviles, the Dowdeſwells, the Wentworths, the Bentincks; with the Lenoxes, the Mancheſters, the Keppels, the Saunders's; with the temperate, permanent, hereditary virtue of the whole houſe of Cavendiſh; names, among which, ſome have extended your fame and empire in arms, and all have fought the battle of your liberties in fields not leſs glorious.—Theſe and many more like theſe, grafting publick principles on private honour, have redeemed the preſent age, and would have adorned the moſt ſplendid period in your



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hiſtory. Where could any man, conſcious of his own inability to act alone, and willing to act as he ought to do, have arranged himſelf better? If any one thinks this kind of ſociety to be taken up as the beſt method of gratifying low perſonal pride, or ambitious intereſt, he is miſtaken; and knows nothing of the world.

Preferring this connection; I do not mean to detract in the ſlighteſt degree from others. There are ſome of thoſe, whom I admire at ſomething of a greater diſtance, with whom I have had the happineſs alſo perfectly to agree, in almoſt all the particulars, in which I have differed with ſome ſucceſſive adminiſtrations; and they are ſuch, as it never can be reputable to any government to reckon among its enemies. I hope there are none of you, corrupted with the doctrine taught by wicked men for the worſt purpoſes, and received by the malignant credulity of envy and ignorance, which is, that the men who act upon the publick ſtage are all alike; all equally corrupt; all influenced by no other views than the ſordid lure of ſalary and penſion. The thing, I know by experience to be falſe. Never expecting to find perfection in men, and not looking for divine attributes in created beings, in my commerce with my cotemporaries, I have found much human virtue. I have ſeen not a little publick ſpirit; a real ſubordination of intereſt to duty; and a decent and regulated

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gulated ſenſibility to honeſt fame and reputation. The age unqueſtionably produces, (whether in a greater or leſs number than former times, I know not) daring profligates, and inſidious hypocrites. What then? Am I not to avail myſelf of whatever good is to be found in the world, becauſe of the mixture of evil that will always be in it? The ſmallneſs of the quantity in currency only heightens the value. They, who raiſe ſuſpicions on the good on account of the behaviour of ill men, are of the party of the latter. The common cant is no juſtification for taking this party. I have been deceived, ſay they, by *Titius* and *Mævius*; I have been the dupe of this pretender or of that mountebank; and I can truſt appearances no longer. But my credulity and want of diſcernment cannot, as I conceive, amount to a fair preſumption againſt any man's integrity. A conſcientious perſon would rather doubt his own judgment, than condemn his ſpecies. He would ſay, I have obſerved without attention, or judged upon erroneous maxims; I truſted to profeſſion, when I ought to have attended to conduct. Such a man will grow wiſe, not malignant, by his acquaintance with the world. But he that accuſes all mankind of corruption ought to remember that he is ſure to convict only one. In truth I ſhould much rather admit thoſe whom at any time I have diſreliſhed the moſt, to be patterns of perfection, than ſeek a conſolation



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to my own unworthineſs, in a general communion of depravity with all about me.

That this ill-natured doctrine ſhould be preached by the miſſionaries of a court I do not wonder. It anſwers their purpoſe. But that it ſhould be heard among thoſe who pretend to be ſtrong aſſertors of liberty, is not only ſurpriſing, but hardly natural. This moral levelling is a *ſervile principle*. It leads to practical paſſive obedience far better, than all the doctrines, which the pliant accommodation of theology to power has ever produced. It cuts up by the roots, not only all idea of forcible reſiſtance, but even of civil oppoſition. It diſpoſes men to an abject ſubmiſſion, not by opinion, which may be ſhaken by argument or altered by paſſion, but by the ſtrong ties of publick and private intereſt. For if all men who act in a publick ſituation are equally ſelfiſh, corrupt, and venal, what reaſon can be given for deſiring any ſort of change, which beſides the evils which muſt attend all changes, can be productive of no poſſible advantage? The active men in the ſtate are true ſamples of the maſs. If they are univerſally depraved, the commonwealth itſelf is not ſound. We may amuſe ourſelves with talking as much as we pleaſe of the virtue of middle or humble life; that is, we may place our confidence in the virtue of thoſe who have never been tried. But if the perſons who are continually emerging out of that ſphere, be no better

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better than thoſe whom birth has placed above it, what hopes are there in the remainder of the body, which is to furniſh the perpetual ſucceſſion of the ſtate? All who have ever written on government, are unanimous, that among a people generally corrupt, liberty cannot long exiſt. And indeed how is it poſſible? when thoſe who are to make the laws, to guard, to enforce, or to obey them, are by a tacit confederacy of manners, indiſpoſed to the ſpirit of all generous and noble inſtitutions.

I am aware that the age is not what we all wiſh. But I am ſure, that the only means of checking its precipitate degeneracy, is heartily to concur with whatever is the beſt in our time; and to have ſome more correct ſtandard of judging what that beſt is, than the tranſient and uncertain favour of a court. If once we are able to find, and can prevail on ourſelves to ſtrengthen an union of ſuch men, whatever accidentally becomes indiſpoſed to ill-exerciſed power, even by the ordinary operation of human paſſions, muſt join with that ſociety, and cannot long be joined, without in ſome degree aſſimilating to it. Virtue will catch as well as vice by contact; and the publick ſtock of honeſt manly principle will daily accumulate. We are not too nicely to ſcrutinize motives as long as action is irreproachable. It is enough, (and for a worthy man perhaps too much) to deal out its infamy to convicted guilt and declared apoſtacy.

This,

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This, gentlemen, has been from the beginning the rule of my conduct; and I mean to continue it, as long as ſuch a body as I have deſcribed, can by any poſſibility be kept together; for I ſhould think it the moſt dreadful of all offences, not only towards the preſent generation but to all the future, if I were to do any thing which could make the minuteſt breach in this great conſervatory of free principles. Thoſe who perhaps have the ſame intentions, but are ſeparated by ſome little political animoſities, will I hope diſcern at laſt, how little conducive it is to any rational purpoſe, to lower its reputation. For my part, gentlemen, from much experience, from no little thinking, and from comparing a great variety of things, I am thoroughly perſuaded, that the laſt hopes of preſerving the ſpirit of the Engliſh conſtitution, or of re-uniting the diſſipated members of the Engliſh race upon a common plan of tranquillity and liberty, does entirely depend on their firm and laſting union; and above all on their keeping themſelves from that deſpair, which is ſo very apt to fall on thoſe, whom a violence of character and a mixture of ambitious views, do not ſupport through a long, painful, and unſucceſsful ſtruggle.

There never, gentlemen, was a period in which the ſtedfaſtneſs of ſome men has been put to ſo ſore a trial. It is not very difficult for well-formed minds to abandon their intereſt; but the ſepa-

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ration of fame and virtue is an harſh divorce. Liberty is in danger of being made unpopular to Engliſhmen. Contending for an imaginary power, we begin to acquire the ſpirit of domination, and to loſe the reliſh of honeſt equality. The principles of our forefathers become ſuſpected to us, becauſe we ſee them animating the preſent oppoſition of our children. The faults which grow out of the luxuriance of freedom, appear much more ſhocking to us, than the baſe vices which are generated from the rankneſs of ſervitude. Accordingly the leaſt reſiſtance to power appears more inexcuſable in our eyes than the greateſt abuſes of authority. All dread of a ſtanding military force is looked upon as a ſuperſtitious panick. All ſhame of calling in foreigners and ſavages in a civil conteſt is worn off. We grow indifferent to the conſequences inevitable to ourſelves from the plan of ruling half the empire by a mercenary ſword. We are taught to believe that a deſire of domineering over our countrymen is love to our country; that thoſe who hate civil war abet rebellion, and that the amiable and conciliatory virtues of lenity, moderation, and tenderneſs to the privileges of thoſe who depend on this kingdom are a ſort of treaſon to the ſtate.

It is impoſſible that we ſhould remain long in a ſituation, which breeds ſuch notions and diſpoſitions,

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ſions, without ſome great alteration in the national character. Thoſe ingenuous and feeling minds who are ſo fortified againſt all other things, and ſo unarmed to whatever approaches in the ſhape of diſgrace, finding theſe principles, which they conſidered as ſure means of honour, to be grown into diſrepute, will retire diſheartened and diſguſted. Thoſe of a more robuſt make, the bold, able, ambitious men, who pay ſome of their court to power through the people, and ſubſtitute the voice of tranſient opinion in the place of true glory, will give into the general mode; and thoſe ſuperiour underſtandings which ought to correct vulgar prejudice, will confirm and aggravate its errours. Many things have been long operating towards a gradual change in our principles. But this American war has done more in a very few years than all the other cauſes could have effected in a century. It is therefore not on its own ſeparate account, but becauſe of its attendant circumſtances, that I conſider its continuance, or its ending in any way but that of an honourable and liberal accommodation, as the greateſt evils which can befal us. For that reaſon I have troubled you with this long letter. For that reaſon I intreat you again and again, neither to be perſuaded, ſhamed, or frighted out of the principles that have hitherto led ſo many of you to abhor the war,

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war, its cauſe, and its conſequences. Let us not be amongſt the firſt who renounce the maxims of our forefathers.

I have the honour to be,

GENTLEMEN,

Your moſt obedient,

And faithful humble ſervant,

EDMUND BURKE.

*Beaconsfield,*
*April* 3, 1777.

P. S. You may communicate this letter in any manner you think proper to my conſtituents.

TWO

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# TWO LETTERS

FROM

## MR. BURKE,

TO

## GENTLEMEN IN THE CITY OF BRISTOL,

ON THE

## BILLS DEPENDING IN PARLIAMENT

RELATIVE TO THE

## TRADE OF IRELAND.

1778.

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TO

## SAMUEL SPAN, Esq.

MASTER OF THE SOCIETY OF MERCHANTS ADVENTURERS OF BRISTOL.

SIR,

I AM honoured with your letter of the 13th, in anſwer to mine, which accompanied the reſolutions of the houſe relative to the trade of Ireland.

You will be ſo good as to preſent my beſt reſpects to the ſociety, and to aſſure them, that it was altogether unneceſſary to remind me of the intereſt of the conſtituents. I have never regarded any thing elſe, ſince I had a ſeat in parliament. Having frequently and maturely conſidered that intereſt, and ſtated it to myſelf in almoſt every point of view, I am perſuaded, that, under the preſent circumſtances, I cannot more effectually purſue it, than by giving all the ſupport in my power to the propoſitions which I lately tranſmitted to the hall.

The fault I find in the ſcheme is,—that it falls



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extremely ſhort of that liberality in the commercial ſyſtem, which, I truſt, will one day be adopted. If I had not conſidered the preſent reſolutions, merely as preparatory to better things, and as a means of ſhewing experimentally, that juſtice to others is not always folly to ourſelves, I ſhould have contented myſelf with receiving them in a cold and ſilent acquieſcence. Separately conſidered, they are matters of no very great importance. But they aim, however imperfectly, at a right principle. I ſubmit to the reſtraint to appeaſe prejudice: I accept the enlargement, ſo far as it goes, as the reſult of reaſon and of ſound policy.

We cannot be inſenſible of the calamities which have been brought upon this nation by an obſtinate adherence to narrow and reſtrictive plans of government. I confeſs, I cannot prevail on myſelf to take them up, preciſely at a time, when the moſt deciſive experience has taught the reſt of the world to lay them down. The propoſitions in queſtion did not originate from me, or from my particular friends. But when things are ſo right in themſelves, I hold it my duty, not to inquire from what hands they come. I oppoſed the American meaſures upon the very ſame principle on which I ſupport thoſe that relate to Ireland. I was convinced, that the evils which have ariſen from the adoption of the former, would be infinitely aggravated by the rejection of the latter.

Perhaps

Perhaps gentlemen are not yet fully aware of the ſituation of their country, and what its exigencies abſolutely require. I find that we are ſtill diſpoſed to talk at our eaſe, and as if all things were to be regulated by our good pleaſure. I ſhould conſider it as a fatal ſymptom, if, in our preſent diſtreſſed and adverſe circumſtances, we ſhould perſiſt in the errours which are natural only to proſperity. One cannot indeed ſufficiently lament the continuance of that ſpirit of deluſion, by which, for a long time paſt, we have thought fit to meaſure our neceſſities by our inclinations. Moderation, prudence, and equity, are far more ſuitable to our condition, than loftineſs, and confidence, and rigour. We are threatened by enemies of no ſmall magnitude, whom, if we think fit, we may deſpiſe, as we have deſpiſed others; but they are enemies who can only ceaſe to be truly formidable, by our entertaining a due reſpect for their power. Our danger will not be leſſened by our ſhutting our eyes to it; nor will our force abroad be increaſed by rendering ourſelves feeble, and divided at home.

There is a dreadful ſchiſm in the Britiſh nation. Since we are not able to re-unite the empire, it is our buſineſs to give all poſſible vigour and ſoundneſs to thoſe parts of it which are ſtill content to be governed by our councils. Sir, it is proper to inform you, that our meaſures *muſt be healing*.



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Such a degree of ſtrength muſt be communicated to all the members of the ſtate, as may enable them to defend themſelves, and to co-operate in the defence of the whole. Their temper too muſt be managed, and their good affections cultivated. They may then be diſpoſed to bear the load with cheerfulneſs, as a contribution towards what may be called with truth and propriety, and not by an empty form of words, *a common cauſe.* Too little dependence cannot be had, at this time of day, on names and prejudices. The eyes of mankind are opened; and communities muſt be held together by an evident and ſolid intereſt. God forbid, that our conduct ſhould demonſtrate to the world, that Great Britain can, in no inſtance whatſoever, be brought to a ſenſe of rational and equitable policy, but by coercion and force of arms!

I wiſh you to recollect, with what powers of conceſſion, relatively to commerce, as well as to legiſlation, his majeſty's commiſſioners to the united colonies have ſailed from England within this week. Whether theſe powers are ſufficient for their purpoſes, it is not now my buſineſs to examine. But we all know, that our reſolutions in favour of Ireland are trifling and inſignificant, when compared with the conceſſions to the Americans. At ſuch a juncture, I would implore every man, who retains the leaſt ſpark of regard to the yet remaining honour and ſecurity of this country,

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not to compel others to an imitation of their conduct; or by paſſion and violence, to force them to ſeek in the territories of the ſeparation, that freedom, and thoſe advantages, which they are not to look for whilſt they remain under the wings of their ancient government.

After all, what are the matters we diſpute with ſo much warmth? Do we in theſe reſolutions *beſtow* any thing upon Ireland? Not a ſhilling. We only conſent to *leave* to them, in two or three inſtances, the uſe of the natural faculties which God has given to them, and to all mankind. Is Ireland united to the crown of Great Britain for no other purpoſe, than that we ſhould counteract the bounty of Providence in her favour? And in proportion as that bounty has been liberal, that we are to regard it as an evil, which is to be met with in every ſort of corrective? To ſay that Ireland interferes with us, and therefore muſt be checked, is, in my opinion, a very miſtaken, and a very dangerous principle. I muſt beg leave to repeat, what I took the liberty of ſuggeſting to you in my laſt letter, that Ireland is a country, in the ſame climate, and of the ſame natural qualities and productions, with this; and has conſequently no other means of growing wealthy in herſelf, or, in other words, of being uſeful to us, but by doing the very ſame things which we do, for the ſame purpoſes. I hope that in Great Bri-



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tain we ſhall always purſue, without exception, *every* means of proſperity; and of courſe, that Ireland *will* interfere with us in ſomething or other; for either, in order to *limit* her, we *muſt reſtrain* ourſelves, or we muſt fall into that ſhocking concluſion, that we are to keep our yet remaining dependency, under a general and indiſcriminate reſtraint, for the mere purpoſe of oppreſſion. Indeed, Sir, England and Ireland may flouriſh together. The world is large enough for us both. Let it be our care not to make ourſelves too little for it.

I know it is ſaid, that the people of Ireland do not pay the ſame taxes, and therefore ought not in equity to enjoy the ſame benefits with this. I had hopes, that the unhappy phantom of a compulſory *equal taxation* had haunted us long enough. I do aſſure you, that until it is entirely baniſhed from our imaginations, (where alone it has, or can have any exiſtence) we ſhall never ceaſe to do ourſelves the moſt ſubſtantial injuries. To that argument of equal taxation, I can only ſay,—that Ireland pays as many taxes as thoſe who are the beſt judges of her powers, are of opinion ſhe can bear. To bear more, ſhe muſt have more ability; and in the order of nature, the advantage muſt *precede* the charge. This diſpoſition of things, being the law of God, neither you nor I *can* alter it. So that if you will have more help from Ireland,

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land, you muſt *previouſly* ſupply her with more means. I believe it will be found, that if men are ſuffered freely to cultivate their natural advantages, a virtual equality of contribution will come in its own time, and will flow by an eaſy deſcent through its own proper and natural channels. An attempt to diſturb that courſe, and to force nature, will only bring on univerſal diſcontent, diſtreſs and confuſion.

You tell me, Sir, that you prefer an union with Ireland to the little regulations which are propoſed in parliament. This union is a great queſtion of ſtate, to which, when it comes properly before me in my parliamentary capacity, I ſhall give an honeſt and unprejudiced conſideration. However, it is a ſettled rule with me, to make the moſt of my *actual ſituation*; and not to refuſe to do a proper thing, becauſe there is ſomething elſe more proper, which I am not able to do. This union is a buſineſs of difficulty; and on the principles of your letter, a buſineſs impracticable. Until it can be matured into a feaſible and deſirable ſcheme, I wiſh to have as cloſe an union of intereſt and affection with Ireland, as I can have; and that, I am ſure, is a far better thing than any nominal union of government.

France, and indeed moſt extenſive empires, which by various deſigns and fortunes have grown into one great maſs, contain many provinces that



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are very different from each other in privileges and modes of government; and they raiſe their ſupplies in different ways; in different proportions; and under different authorities; yet none of them are for this reaſon curtailed of their natural rights; but they carry on trade and manufactures with perfect equality. In ſome way or other the true balance is found; and all of them are properly poiſed and harmonized. How much have you loſt by the participation of Scotland in all your commerce? The external trade of England has more than doubled ſince that period; and I believe your internal (which is the moſt advantageous) has been augmented at leaſt fourfold. Such virtue there is in liberality of ſentiment, that you have grown richer even by the partnerſhip of poverty.

If you think, that this participation was a loſs, commercially conſidered, but that it has been compenſated by the ſhare which Scotland has taken in defraying the publick charge—I believe you have not very carefully looked at the publick accounts. Ireland, Sir, pays a great deal more than Scotland; and is perhaps as much, and as effectually united to England as Scotland is. But if Scotland, inſtead of paying little, had paid nothing at all, we ſhould be gainers, not loſers by acquiring the hearty co-operation of an active intelligent people, towards the increaſe of the common

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mon stock; instead of our being employed in watching and counteracting them, and their being employed in watching and counteracting us, with the peevish and churlish jealousy of rivals and enemies on both sides.

I am sure, Sir, that the commercial experience of the merchants of Bristol, will soon disabuse them of the prejudice, that they can trade no longer, if countries more lightly taxed are permitted to deal in the same commodities at the same markets. You know, that in fact, you trade very largely where you are met by the goods of all nations. You even pay high duties, on the import of your goods, and afterwards underfell nations less taxed, at their own markets; and where goods of the same kind are not charged at all. If it were otherwise, you could trade very little. You know, that the price of all sorts of manufacture is not a great deal inhanced (except to the domestick consumer) by any taxes paid in this country. This I might very easily prove.

The same consideration will relieve you from the apprehension you express, with relation to sugars, and the difference of the duties paid here and in Ireland. Those duties affect the interiour consumer only; and for obvious reasons, relative to the interest of revenue itself, they must be proportioned to his ability of payment; but in all cases in which sugar can be an *object of commerce*, and

and therefore (in this view) of rivalſhip, you are ſenſible, that you are at leaſt on a par with Ireland. As to your apprehenſions concerning the more advantageous ſituation of Ireland, for ſome branches of commerce, (for it is ſo but for ſome) I truſt you will not find them more ſerious. Milford Haven, which is at your door, may ſerve to ſhew you, that the mere advantage of ports is not the thing which ſhifts the ſeat of commerce from one part of the world to the other. If I thought you inclined to take up this matter on local conſiderations, I ſhould ſtate to you, that I do not know any part of the kingdom ſo well ſituated for an advantageous commerce with Ireland as Briſtol; and that none would be ſo likely to profit of its proſperity as our city. But your profit and theirs muſt concur. Beggary and bankruptcy are not the circumſtances which invite to an intercourſe with that or with any country; and I believe it will be found invariably true, that the ſuperfluities of a rich nation furniſh a better object of trade than the neceſſities of a poor one. It is the intereſt of the commercial world that wealth ſhould be found every where.

The true ground of fear, in my opinion, is this; that Ireland, from the vitious ſyſtem of its internal polity, will be a long time before it can derive any benefit from the liberty now granted, or from any thing elſe. But as I do not vote advantages, in hopes

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hopes that they may not be enjoyed, I will not lay any ſtreſs upon this conſideration. I rather wiſh, that the parliament of Ireland may, in its own wiſdom, remove theſe impediments, and put their country in a condition to avail itſelf of its natural advantages. If they do not, the fault is with them, and not with us.

I have written this long letter, in order to give all poſſible ſatisfaction to my conſtituents with regard to the part I have taken in this affair. It gave me inexpreſſible concern to find, that my conduct had been a cauſe of uneaſineſs to any of them. Next to my honour and conſcience, I have nothing ſo near and dear to me as their approbation. However, I had much rather run the riſk of diſpleaſing than of injuring them;—if I am driven to make ſuch an option. You obligingly lament, that you are not to have me for your advocate; but if I had been capable of acting as an advocate in oppoſition to a plan ſo perfectly conſonant to my known principles, and to the opinions I had publickly declared on an hundred occaſions, I ſhould only diſgrace myſelf, without ſupporting with the ſmalleſt degree of credit or effect, the cauſe you wiſhed me to undertake. I ſhould have loſt the only thing which can make ſuch abilities as mine of any uſe to the world now or hereafter; I mean that authority which is derived from an opinion, that a member ſpeaks the language

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language of truth and ſincerity; and that he is not ready to take up or lay down a great political ſyſtem for the convenience of the hour; that he is in parliament to ſupport his opinion of the publick good, and does not form his opinion in order to get into parliament, or to continue in it. It is in a great meaſure for your ſake, that I wiſh to preſerve this character. Without it, I am ſure, I ſhould be ill able to diſcharge, by any ſervice, the ſmalleſt part of that debt of gratitude and affection which I owe you for the great and honourable truſt you have repoſed in me. I am, with the higheſt regard and eſteem,

SIR,

Your moſt obedient,

And humble ſervant,

E. B.

*Beaconsfield,*
23*d April*, 1778.

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# COPY OF A LETTER

TO

## MESS. ******* ****** AND CO. BRISTOL.

GENTLEMEN,

IT gives me the moſt ſenſible concern to find, that my vote on the reſolutions relative to the trade of Ireland, has not been fortunate enough to meet with your approbation. I have explained at large the grounds of my conduct on that occaſion in my letters to the Merchants Hall: but my very ſincere regard and eſteem for you will not permit me to let the matter paſs without an explanation, which is particular to yourſelves, and which, I hope, will prove ſatisfactory to you.

You tell me, that the conduct of your late member is not much wondered at; but you ſeem to be at a loſs to account for mine; and you lament, that I have taken ſo decided a part *againſt* my conſtituents.

This is rather an heavy imputation. Does it then really appear to you, that the propoſitions to which

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which you refer, are, on the face of them, ſo manifeſtly wrong, and ſo certainly injurious to the trade and manufactures of Great Britain, and particularly to yours, that no man could think of propoſing, or ſupporting them, except from reſentment to you, or from ſome other oblique motive? If you ſuppoſe your late member, or if you ſuppoſe me, to act upon other reaſons than we chooſe to avow, to what do you attribute the conduct of the *other* members, who in the beginning almoſt unanimouſly adopted thoſe reſolutions? To what do you attribute the ſtrong part taken by the miniſters, and along with the miniſters, by ſeveral of their moſt declared opponents? This does not indicate a miniſterial jobb; a party deſign; or a provincial or local purpoſe. It is therefore not ſo abſolutely clear, that the meaſure is wrong, or likely to be injurious to the true intereſts of any place, or any perſon.

The reaſon, gentlemen, for taking this ſtep, at this time, is but too obvious and too urgent. I cannot imagine, that you forget the great war, which has been carried on with ſo little ſucceſs (and, as I thought, with ſo little policy) in America; or that you are not aware of the other great wars which are impending. Ireland has been called upon to repel the attacks of enemies of no ſmall power, brought upon her by councils in which ſhe has had no ſhare. The very purpoſe and declared

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clared object of that original war, which has brought other wars, and other enemies on Ireland, was not very flattering to her dignity, her intereſt, or to the very principle of her liberty. Yet ſhe ſubmitted patiently to the evils ſhe ſuffered from an attempt to ſubdue to *your* obedience, countries whoſe very commerce was not open to her. America was to be conquered, in order that Ireland ſhould *not* trade thither; whilſt the miſerable trade which ſhe is permitted to carry on to other places has been torn to pieces in the ſtruggle. In this ſituation, are we neither to ſuffer her to have any real intereſt in our quarrel, or to be flattered with the hope of any future means of bearing the burdens which ſhe is to incur in defending herſelf againſt enemies which we have brought upon her?

I cannot ſet my face againſt ſuch arguments. Is it quite fair to ſuppoſe, that I have no other motive for yielding to them, but a deſire of acting *againſt* my conſtituents? It is for *you*, and for *your* intereſt, as a dear, cheriſhed, and reſpected part of a valuable whole, that I have taken my ſhare in this queſtion. You do not, you cannot ſuffer by it. If honeſty be true policy with regard to the tranſient intereſt of individuals, it is much more certainly ſo with regard to the permanent intereſts of communities. I know, that it is but too natural for us to ſee our own *certain* ruin, in the

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the *poſſible* proſperity of other people. It is hard to perſuade us, that every thing which is *got* by another is not *taken* from ourſelves. But it is fit, that we ſhould get the better of theſe ſuggeſtions, which come from what is not the beſt and ſoundeſt part of our nature, and that we ſhould form to ourſelves a way of thinking, more rational, more juſt, and more religious. Trade is not a limited thing; as if the objects of mutual demand and conſumption, could not ſtretch beyond the bounds of our jealouſies. God has given the earth to the children of men, and he has undoubtedly, in giving it to them, given them what is abundantly ſufficient for all their exigencies; not a ſcanty, but a moſt liberal proviſion for them all. The author of our nature has written it ſtrongly in that nature, and has promulgated the ſame law in his written word, that man ſhall eat his bread by his labour; and I am perſuaded, that no man, and no combination of men, for their own ideas of their particular profit, can, without great impiety, undertake to ſay, that he *ſhall not* do ſo; that they have no ſort of right, either to prevent the labour, or to withhold the bread. Ireland having received no *compenſation*, directly or indirectly, for any reſtraints on their trade, ought not, in juſtice or common honeſty, to be made ſubject to ſuch reſtraints. I do not mean to impeach the right of the parliament of Great Britain to make laws

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laws for the trade of Ireland. I only speak of what laws it is right for parliament to make.

It is nothing to an oppreſſed people, to ſay that in part they are protected at our charge. The military force which ſhall be kept up in order to cramp the natural faculties of a people, and to prevent their arrival to their utmoſt proſperity, is the inſtrument of their ſervitude not the means of their protection. To protect men, is to forward, and not to reſtrain their improvement. Elſe, what is it more, than to avow to them, and to the world, that you guard them from others, only to make them a prey to yourſelf? This fundamental nature of protection does not belong to free, but to all governments; and is as valid in Turkey as in Great Britain. No government ought to own that it exiſts for the purpoſe of checking the proſperity of its people, or that there is ſuch a principle involved in its policy.

Under the impreſſion of theſe ſentiments, (and not as wanting every attention to my conſtituents, which affection and gratitude could inſpire), I voted for theſe bills which give you ſo much trouble. I voted for them, not as doing complete juſtice to Ireland, but as being ſomething leſs unjuſt than the general prohibition which has hitherto prevailed. I hear ſome diſcourſe, as if in one or two paltry duties on materials, Ireland had a preference; and that thoſe who ſet themſelves againſt



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this act of flanty juſtice, aſſert that they are only contending for an *equality*. What equality? Do they forget, that the whole woollen manufacture of Ireland, the moſt extenſive and profitable of any, and the natural ſtaple of that kingdom, has been in a manner ſo deſtroyed by reſtrictive laws of ours, and (at our perſuaſion, and on our promiſes) by reſtrictive laws of *their own*, that in a few years, it is probable, they will not be able to wear a coat of their own fabrick? Is this equality? Do gentlemen forget, that the underſtood faith upon which they were perſuaded to ſuch an unnatural act, has not been kept; but a linen-manufacture has been ſet up, and highly encouraged, againſt them? Is this equality? Do they forget the ſtate of the trade of Ireland in beer, ſo great an article of conſumption, and which now ſtands in ſo miſchievous a poſition with regard to their revenue, their manufacture, and their agriculture? Do they find any equality in all this? Yet if the leaſt ſtep is taken towards doing them common juſtice in the ſlighteſt article for the moſt limited markets, a cry is raiſed, as if we were going to be ruined by partiality to Ireland.

Gentlemen, I know that the deficiency in theſe arguments is made up (not by you, but by others) by the uſual reſource on ſuch occaſions, the confidence in military force, and ſuperiour power. But that ground of confidence, which at no time was perfectly

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perfectly just, or the avowal of it tolerably decent, is at this time very unseasonable. Late experience has shewn, that it cannot be altogether relied upon; and many, if not all of our present difficulties, have arisen from putting our trust in what may very possibly fail; and if it should fail, leaves those who are hurt by such a reliance, without pity. Whereas honesty and justice, reason and equity, go a very great way in securing prosperity to those who use them; and in case of failure, secure the best retreat, and the most honourable consolations.

It is very unfortunate that we should consider those as rivals, whom we ought to regard as fellow-labourers in a common cause. Ireland has never made a single step in its progress towards prosperity, by which you have not had a share, and perhaps the greatest share, in the benefit. That progress has been chiefly owing to her own natural advantages, and her own efforts, which, after a long time, and by slow degrees, have prevailed in some measure over the mischievous systems which have been adopted. Far enough she is still from having arrived even at an ordinary state of perfection; and if our jealousies were to be converted into politicks, as systematically as some would have them, the trade of Ireland would vanish out of the system of commerce. But believe me, if Ireland is beneficial to you, it is so not from the parts in which it is restrained, but from those in which it



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is left free, though not left unrivalled. The greater its freedom, the greater muſt be your advantage. If you ſhould loſe in one way, you will gain in twenty.

Whilſt I remain under this unalterable and powerful conviction, you will not wonder at the *decided* part I take. It is my cuſtom ſo to do, when I ſee my way clearly before me; and when I know, that I am not miſled by any paſſion, or any perſonal intereſt; which in this caſe, I am very ſure, I am not. I find that diſagreeable things are circulated among my conſtituents; and I wiſh my ſentiments, which form my juſtification, may be equally general with the circulation againſt me. I have the honour to be, with the greateſt regard and eſteem,

GENTLEMEN,

Your moſt obedient

and humble ſervant,

*Weſtminſter*, E. B.
*May* 2, 1778.

I ſend the bills.

MR.

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# MR. BURKE's SPEECH,

ON PRESENTING TO

*THE HOUSE OF COMMONS,*

(ON THE 11th FEBRUARY, 1780,)

A PLAN

FOR THE BETTER SECURITY OF

THE INDEPENDENCE OF PARLIAMENT,

AND

THE ŒCONOMICAL REFORMATION

OF

THE CIVIL

AND

OTHER ESTABLISHMENTS.

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# SPEECH, &c.

MR. SPEAKER,

I RISE, in acquittal of my engagement to the houſe, in obedience to the ſtrong and juſt requiſition of my conſtituents, and, I am perſuaded, in conformity to the unanimous wiſhes of the whole nation, to ſubmit to the wiſdom of parliament, "A plan of reform in the conſtitution of "ſeveral parts of the publick œconomy."

I have endeavoured, that this plan ſhould include in its execution, a conſiderable reduction of improper expence; that, it ſhould effect a converſion of unprofitable titles into a productive eſtate; that, it ſhould lead to, and indeed almoſt compel, a provident adminiſtration of ſuch ſums of publick money as muſt remain under diſcretionary truſts; that, it ſhould render the incurring debts on the civil eſtabliſhment (which muſt ultimately affect national ſtrength and national credit) ſo very difficult, as to become next to impracticable.

But what, I confeſs, was uppermoſt with me, what I bent the whole force of my mind to, was the reduction of that corrupt influence, which is



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itſelf the perennial ſpring of all prodigality, and of all diſorder; which loads us, more than millions of debt; which takes away vigour from our arms, wiſdom from our councils, and every ſhadow of authority and credit from the moſt venerable parts of our conſtitution.

Sir, I aſſure you, very ſolemnly, and with a very clear conſcience, that nothing in the world has led me to ſuch an undertaking, but my zeal for the honour of this houſe, and the ſettled, habitual, ſyſtematick affection I bear to the cauſe, and to the principles of government.

I enter perfectly into the nature and conſequences of my attempt; and I advance to it with a tremour that ſhakes me to the inmoſt fibre of my frame. I feel, that I engage in a buſineſs, in itſelf moſt ungracious, totally wide of the courſe of prudent conduct; and I really think, the moſt completely adverſe that can be imagined to the natural turn and temper of my own mind. I know, that all parſimony is of a quality approaching to unkindneſs; and that (on ſome perſon or other) every reform muſt operate as a ſort of puniſhment. Indeed the whole claſs of the ſevere and reſtrictive virtues, are at a market almoſt too high for humanity. What is worſe, there are very few of thoſe virtues which are not capable of being imitated, and even outdone in many of their moſt ſtriking effects, by the worſt of vices. Malignity and envy will

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will carve much more deeply, and finish much more sharply, in the work of retrenchment, than frugality and providence. I do not, therefore, wonder, that gentlemen have kept away from such a task, as well from good-nature as from prudence. Private feeling might, indeed, be overborne by legislative reason; and a man of a long-sighted and a strong nerved humanity, might bring himself, not so much to consider from whom he takes a superfluous enjoyment, as for whom in the end he may preserve the absolute necessaries of life.

But it is much more easy to reconcile this measure to humanity, than to bring it to any agreement with prudence. I do not mean that little, selfish, pitiful, bastard thing, which sometimes goes by the name of a family in which it is not legitimate, and to which it is a disgrace;—I mean even that publick and enlarged prudence, which, apprehensive of being disabled from rendering acceptible services to the world, with-holds itself from those that are invidious. Gentlemen who are, with me, verging towards the decline of life, and are apt to form their ideas of kings from kings of former times, might dread the anger of a reigning prince;—they who are more provident of the future, or by being young are more interested in it, might tremble at the resentment of the successor; they might see a long, dull, dreary, unvaried vista of despair and exclusion, for half a century,

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century, before them. This is no pleaſant proſpect at the outſet of a political journey.

Beſides this, Sir, the private enemies to be made in all attempts of this kind are innumerable; and their enmity will be the more bitter, and the more dangerous too, becauſe a ſenſe of dignity will oblige them to conceal the cauſe of their reſentment. Very few men of great families and extenſive connections, but will feel the ſmart of a cutting reform, in ſome cloſe relation, ſome boſom friend, ſome pleaſant acquaintance, ſome dear protected dependant. Emolument is taken from ſome; patronage from others; objects of purſuit from all. Men, forced into an involuntary independence, will abhor the authors of a bleſſing which in their eyes has ſo very near a reſemblance to a curſe. When officers are removed, and the offices remain, you may ſet the gratitude of ſome againſt the anger of others; you may oppoſe the friends you oblige againſt the enemies you provoke. But ſervices of the preſent ſort create no attachments. The individual good felt in a publick benefit, is comparatively ſo ſmall, comes round through ſuch an involved labyrinth of intricate and tedious revolutions; whilſt a preſent perſonal detriment is ſo heavy, where it falls, and ſo inſtant in its operation, that the cold commendation of a publick advantage never was, and never will be, a match for the quick ſenſibility of a private loſs: and you may

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may depend upon it, Sir, that when many people have an intereſt in railing, ſooner or later, they will bring a conſiderable degree of unpopularity upon any meaſure. So that, for the preſent at leaſt, the reformation will operate againſt the reformers; and revenge (as againſt them at the leaſt) will produce all the effects of corruption.

This, Sir, is almoſt always the caſe, where the plan has complete ſucceſs. But how ſtands the matter in the mere attempt? Nothing, you know, is more common, than for men to wiſh, and call loudly too, for a reformation, who, when it arrives, do by no means like the ſeverity of its aſpect. Reformation is one of thoſe pieces which muſt be put at ſome diſtance in order to pleaſe. Its greateſt favourers love it better in the abſtract than in the ſubſtance. When any old prejudice of their own, or any intereſt that they value, is touched, they become ſcrupulous, they become captious, and every man has his ſeparate exception. Some pluck out the black hairs, ſome the grey; one point muſt be given up to one; another point muſt be yielded to another; nothing is ſuffered to prevail upon its own principle; the whole is ſo frittered down, and diſjointed, that ſcarcely a trace of the original ſcheme remains! Thus, between the reſiſtance of power, and the unſyſtematical proceſs of popularity, the undertaker and the undertaking are both expoſed,

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expoſed, and the poor reformer is hiſſed off the ſtage, both by friends and foes.

Obſerve, Sir, that the apology for my undertaking (an apology, which, though long, is no longer than neceſſary) is not grounded on my want of the fulleſt ſenſe of the difficult and invidious nature of the taſk I undertake. I riſk odium if I ſucceed, and contempt if I fail. My excuſe muſt reſt in mine and your conviction of the abſolute, urgent *neceſſity* there is, that ſomething of the kind ſhould be done. If there is any ſacrifice to be made, either of eſtimation or of fortune, the ſmalleſt is the beſt. Commanders in chief are not to be put upon the forlorn hope. But, indeed it is neceſſary that the attempt ſhould be made. It is neceſſary from our own political circumſtances; it is neceſſary from the operations of the enemy; it is neceſſary from the demands of the people; whoſe deſires, when they do not militate with the ſtable and eternal rules of juſtice and reaſon (rules which are above us, and above them) ought to be as a law to a houſe of commons.

As to our circumſtances, I do not mean to aggravate the difficulties of them, by the ſtrength of any colouring whatſoever. On the contrary, I obſerve, and obſerve with pleaſure, that our affairs rather wear a more promiſing aſpect than they did on the opening of this ſeſſion. We have had

ſome

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ſome leading ſucceſſes. But thoſe who rate them at the higheſt (higher a great deal indeed than I dare to do) are of opinion, that, upon the ground of ſuch advantages, we cannot at this time hope to make any treaty of peace, which would not be ruinous and completely diſgraceful. In ſuch an anxious ſtate of things, if dawnings of ſucceſs ſerve to animate our diligence, they are good; if they tend to increaſe our preſumption, they are worſe than defeats. The ſtate of our affairs ſhall then be as promiſing as any one may chooſe to conceive it: it is however, but promiſing. We muſt recollect, that with but half of our natural ſtrength, we are at war againſt confederated powers, who have ſingly threatened us with ruin; we muſt recollect, that whilſt we are left naked on one ſide, our other flank is uncovered by any alliance; that whilſt we are weighing and balancing our ſucceſſes againſt our loſſes, we are accumulating debt to the amount of at leaſt fourteen millions in the year. That loſs is certain.

I have no wiſh to deny, that our ſucceſſes are as brilliant as any one chooſes to make them; our reſources too may, for me, be as unfathomable as they are repreſented. Indeed they are juſt whatever the people poſſeſs, and will ſubmit to pay. Taxing is an eaſy buſineſs. Any projector can contrive new impoſitions; any bungler can add to the old. But is it altogether wiſe to have no other

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other bounds to your impoſitions, than the patience of thoſe who are to bear them?

All I claim upon the ſubject of your reſources is this, that they are not likely to be increaſed by waſting them.—I think I ſhall be permitted to aſſume, that a ſyſtem of frugality will not leſſen your riches, whatever they may be;—I believe it will not be hotly diſputed, that thoſe reſources which lie heavy on the ſubject, ought not to be objects of preference; that they ought not to be the *very firſt choice*, to an honeſt repreſentative of the people.

This is all, Sir, that I ſhall ſay upon our circumſtances and our reſources: I mean to ſay a little more on the operations of the enemy, becauſe this matter ſeems to me very natural in our preſent deliberation. When I look to the other ſide of the water, I cannot help recollecting what Pyrrhus ſaid on reconnoitring the Roman camp, "Theſe "barbarians have nothing barbarous in their diſ"cipline." When I look, as I have pretty carefully looked, into the proceedings of the French king, I am ſorry to ſay it, I ſee nothing of the character and genius of arbitrary finance; none of the bold frauds of bankrupt power; none of the wild ſtruggles, and plunges, of deſpotiſm in diſtreſs;—no lopping off from the capital of debt;—no ſuſpenſion of intereſt;—no robbery under the

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the name of loan;—no raiſing the value, no debaſing the ſubſtance of the coin. I ſee neither Louis the Fourteenth nor Louis the Fifteenth. On the contrary, I behold with aſtoniſhment, riſing before me, by the very hands of arbitrary power, and in the very midſt of war and confuſion, a regular, methodical ſyſtem of publick credit; I behold a fabrick laid on the natural and ſolid foundations of truſt and confidence among men; and riſing, by fair gradations, order over order, according to the juſt rules of ſymmetry and art. What a reverſe of things! Principle, method, regularity, œconomy, frugality, juſtice to individuals, and care of the people, are the reſources with which France makes war upon Great Britain. God avert the omen! But if we ſhould ſee any genius in war and politicks ariſe in France, to ſecond what is done in the bureau!—I turn my eyes from the conſequences.

The noble lord in the blue ribbon, laſt year, treated all this with contempt. He never could conceive it poſſible that the French miniſter of finance could go through that year with a loan of but ſeventeen hundred thouſand pounds; and that he ſhould be able to fund that loan without any tax. The ſecond year, however, opens the very ſame ſcene. A ſmall loan, a loan of no more than two millions five hundred thouſand pounds, is to carry our enemies through the ſervice of this

year

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year alſo. No tax is raiſed to fund that debt; no tax is raiſed for the current ſervices. I am credibly informed that there is no anticipation whatſoever. * Compenſations are correctly made. Old debts continue to be ſunk as in the time of profound peace. Even payments which their treaſury had been authorized to ſuſpend during the time of war, are not ſuſpended.

A general reform, executed through every *department of the revenue*, creates an annual income of more than half a million, whilſt it facilitates and ſimplifies all the functions of adminiſtration. The king's *houſehold*—at the remoteſt avenues to which all reformation has been hitherto ſtopped, that houſehold, which has been the ſtrong hold of prodigality, the virgin fortreſs which was never before attacked—has been not only not defended, but it has, even in the forms, been ſurrendered by the king to the œconomy of his miniſter. No capitulation; no reſerve. Œconomy has entered in triumph into the publick ſplendour of the monarch, into his private amuſements, into the appointments of his neareſt and higheſt relations. Œconomy and publick ſpirit have made a beneficent and an honeſt ſpoil; they have plundered,

* This term comprehends various retributions made to perſons whoſe offices are taken away, or who, in any other way, ſuffer by the new arrangements that are made.

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from extravagance and luxury, for the uſe of ſubſtantial ſervice, a revenue of near four hundred thouſand pounds. The reform of the finances, joined to this reform of the court, gives to the publick nine hundred thouſand pounds a year and upwards.

The miniſter who does theſe things is a great man—But the king who deſires that they ſhould be done, is a far greater. We muſt do juſtice to our enemies—Theſe are the acts of a patriot king. I am not in dread of the vaſt armies of France: I am not in dread of the gallant ſpirit of its brave and numerous nobility: I am not alarmed even at the great navy which has been ſo miraculouſly created. All theſe things Louis the Fourteenth had before. With all theſe things, the French monarchy has more than once fallen proſtrate at the feet of the publick faith of Great Britain. It was the want of publick credit which diſabled France from recovering after her defeats, or recovering even from her victories and triumphs. It was a prodigal court, it was an ill-ordered revenue, that ſapped the foundations of all her greatneſs. Credit cannot exiſt under the arm of neceſſity. Neceſſity ſtrikes at credit, I allow, with a heavier and quicker blow under an arbitrary monarchy, than under a limited and balanced government: but ſtill neceſſity and credit are natural enemies, and cannot be long reconciled in any



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ſituation. From neceſſity and corruption, a free ſtate may loſe the ſpirit of that complex conſtitution which is the foundation of confidence. On the other hand, I am far from being ſure, that a monarchy, when once it is properly regulated, may not for a long time furniſh a foundation for credit upon the ſolidity of its maxims, though it affords no ground of truſt in its inſtitutions. I am afraid I ſee in England, and in France, ſomething like a beginning of both theſe things. I wiſh I may be found in a miſtake.

This very ſhort, and very imperfect ſtate of what is now going on in France (the laſt circumſtances of which I received in about eight days after the regiſtry of the *edict) I do not, Sir, lay before you for any invidious purpoſe. It is in order to excite in us the ſpirit of a noble emulation.—Let the nations make war upon each other (ſince we muſt make war) not with a low and vulgar malignity, but by a competition of virtues. This is the only way by which both parties can gain by war. The French have imitated us; let us, through them, imitate ourſelves; ourſelves in our better and happier days. If publick frugality, under whatever men, or in whatever mode of government, is national ſtrength, it is a ſtrength which our enemies are in poſſeſſion of before us.

* Edict, regiſtered 29th January, 1780.

Sir,

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Sir, I am well aware, that the ſtate and the reſult of the French œconomy which I have laid before you, are even now lightly treated by ſome, who ought never to ſpeak but from information. Pains have not been ſpared, to repreſent them as impoſitions on the publick. Let me tell you, Sir, that the creation of a navy, and a two years war without taxing, are a very ſingular ſpecies of impoſture. But be it ſo. For what end does Neckar carry on this deluſion? Is it to lower the eſtimation of the crown he ſerves, and to render his own adminiſtration contemptible? No! No! He is conſcious, that the ſenſe of mankind is ſo clear and decided in favour of œconomy, and of the weight and value of its reſources, that he turns himſelf to every ſpecies of fraud and artifice, to obtain the mere reputation of it. Men do not affect a conduct that tends to their diſcredit. Let us, then, get the better of Monſieur Neckar in his own way—Let us do in reality what he does only in pretence.—Let us turn his French tinſel into Engliſh gold. Is then the mere opinion and appearance of frugality and good management of ſuch uſe to France, and is the ſubſtance to be ſo miſchievous to England? Is the very conſtitution of nature ſo altered by a ſea of twenty miles, that œconomy ſhould give power on the continent, and that profuſion ſhould give it here? For God's ſake



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let not this be the only fashion of France which we refuse to copy.

To the last kind of necessity, the desires of the people, I have but a very few words to say. The ministers seem to contest this point; and affect to doubt, whether the people do really desire a plan of œconomy in the civil government. Sir, this is too ridiculous. It is impossible that they should not desire it. It is impossible that a prodigality, which draws its resources from their indigence, should be pleasing to them. Little factions of pensioners, and their dependants, may talk another language. But the voice of nature is against them; and it will be heard. The people of England will not, they cannot take it kindly, that representatives should refuse to their constituents, what an absolute sovereign voluntarily offers to his subjects. The expression of the petitions is, that "*before any* "*new burthens are laid upon this country, effectual* "*measures be taken by this house, to inquire into, and* "*correct, the gross abuses in the expenditure of publick* "*money.*"

This has been treated by the noble lord in the blue ribbon, as a wild factious language. It happens, however, that the people in their address to us, use almost word for word the same terms as the king of France uses in addressing himself to his people; and it differs only, as it falls short of

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the French king's idea of what is due to his subjects. "To convince," says he, "our faithful subjects of *the desire we entertain not to recur to new impositions*, until we have first exhausted all the resources which order and œconomy can possibly supply."—&c. &c.

These desires of the people of England, which come far short of the voluntary concessions of the king of France, are moderate indeed. They only contend that we should interweave some œconomy with the taxes with which we have chosen to begin the war. They request, not that you should rely upon œconomy exclusively, but that you should give it rank and precedence, in the order of the ways and means of this single session.

But if it were possible, that the desires of our constituents, desires which are at once so natural, and so very much tempered and subdued, should have no weight with a house of commons, which has its eye elsewhere; I would turn my eyes to the very quarter to which theirs are directed. I would reason this matter with the house, on the mere policy of the question; and I would undertake to prove, that an early dereliction of abuse, is the direct interest of government; of government taken abstractedly from its duties, and considered merely as a system intending its own conservation.

If there is any one eminent criterion, which,



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above all the reſt, diſtinguiſhes a wiſe government from an adminiſtration weak and improvident, it is this;—"well to know the beſt time and manner "of yielding, what it is impoſſible to keep."—There have been, Sir, and there are, many who chooſe to chicane with their ſituation, rather than be inſtructed by it. Thoſe gentlemen argue againſt every deſire of reformation, upon the principles of a criminal proſecution. It is enough for them to juſtify their adherence to a pernicious ſyſtem, that it is not of their contrivance; that it is an inheritance of abſurdity, derived to them from their anceſtors; that they can make out a long and unbroken pedigree of miſmanagers that have gone before them. They are proud of the antiquity of their houſe; and they defend their errours, as if they were defending their inheritance: afraid of derogating from their nobility; and carefully avoiding a ſort of blot in their ſcutcheon, which they think would degrade them for ever.

It was thus that the unfortunate Charles the Firſt defended himſelf on the practice of the Stuart who went before him, and of all the Tudors; his partiſans might have gone to the Plantagenets.—They might have found bad examples enough, both abroad and at home, that could have ſhewn an ancient and illuſtrious deſcent. But there is a time, when men will not ſuffer bad things becauſe their anceſtors have ſuffered worſe. There is a time,

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time, when the hoary head of inveterate abuſe will neither draw reverence, nor obtain protection. If the noble lord in the blue ribbon pleads "*not* "*guilty*," to the charges brought againſt the preſent ſyſtem of publick œconomy, it is not poſſible to give a fair verdict by which he will not ſtand acquitted. But pleading is not our preſent buſineſs. His plea or his traverſe may be allowed as an anſwer to a charge, when a charge is made. But if he puts himſelf in the way to obſtruct reformation, then the faults of his office inſtantly become his own. Inſtead of a publick officer in an abuſive department, whoſe province is an object to be regulated, he becomes a criminal who is to be puniſhed. I do moſt ſeriouſly put it to adminiſtration, to conſider the wiſdom of a timely reform. Early reformations are amicable arrangements with a friend in power; late reformations are terms impoſed upon a conquered enemy: early reformations are made in cool blood; late reformations are made under a ſtate of inflammation. In that ſtate of things the people behold in government nothing that is reſpectable. They ſee the abuſe, and they will ſee nothing elſe—They fall into the temper of a furious populace provoked at the diſorder of a houſe of ill fame; they never attempt to correct or regulate; they go to work by the ſhorteſt way—They abate the nuiſance, they pull down the houſe.



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This is my opinion with regard to the true intereſt of government. But as it is the intereſt of government that reformation ſhould be early, it is the intereſt of the people that it ſhould be temperate. It is their intereſt, becauſe a temperate reform is permanent; and becauſe it has a principle of growth. Whenever we improve, it is right to leave room for a further improvement. It is right to conſider, to look about us, to examine the effect of what we have done.—Then we can proceed with confidence, becauſe we can proceed with intelligence. Whereas in hot reformations, in what men, more zealous than conſiderate, call *making clear work*, the whole is generally ſo crude, ſo harſh, ſo indigeſted; mixed with ſo much imprudence, and ſo much injuſtice; ſo contrary to the whole courſe of human nature, and human inſtitutions, that the very people who are moſt eager for it, are among the firſt to grow diſguſted at what they have done. Then ſome part of the abdicated grievance is recalled from its exile in order to become a corrective of the correction. Then the abuſe aſſumes all the credit and popularity of a reform. The very idea of purity and diſintereſtedneſs in politicks falls into diſrepute, and is conſidered as a viſion of hot and inexperienced men; and thus diſorders become incurable, not by the virulence of their own quality, but by the unapt and violent nature of the remedies.

dies. A great part therefore, of my idea of reform, is meant to operate gradually; ſome benefits will come at a nearer, ſome at a more remote period. We muſt no more make haſte to be rich by parſimony, than by intemperate acquiſition.

In my opinion, it is our duty when we have the deſires of the people before us, to purſue them, not in the ſpirit of literal obedience, which may militate with their very principle, much leſs to treat them with a peeviſh and contentious litigation, as if we were adverſe parties in a ſuit. It would, Sir, be moſt diſhonourable for a faithful repreſentative of the commons, to take advantage of any inartificial expreſſion of the people's wiſhes, in order to fruſtrate their attainment of what they have an undoubted right to expect. We are under infinite obligations to our conſtituents, who have raiſed us to ſo diſtinguiſhed a truſt, and have imparted ſuch a degree of ſanctity to common characters. We ought to walk before them with purity, plainneſs, and integrity of heart; with filial love, and not with ſlaviſh fear, which is always a low and tricking thing. For my own part, in what I have meditated upon that ſubject, I cannot indeed take upon me to ſay I have the honour *to follow* the ſenſe of the people. The truth is, *I met it on the way*, while I was purſuing their intereſt according to my own ideas. I am happy beyond expreſſion to find that my intentions have

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ſo far coincided with theirs, that I have not had cauſe to be in the leaſt ſcrupulous to ſign their petition, conceiving it to expreſs my own opinions, as nearly as general terms can expreſs the object of particular arrangements.

I am therefore ſatisfied to act as a fair mediator between government and the people, endeavouring to form a plan which ſhould have both an early and a temperate operation. I mean, that it ſhould be ſubſtantial; that it ſhould be ſyſtematick. That it ſhould rather ſtrike at the firſt cauſe of prodigality and corrupt influence, than attempt to follow them in all their effects.

It was to fulfil the firſt of theſe objects (the propoſal of ſomething ſubſtantial) that I found myſelf obliged at the outſet, to reject a plan propoſed by an honourable and * attentive member of parliament, with very good intentions on his part, about a year or two ago. Sir, the plan I ſpeak of was the tax of 25 *per cent.* moved upon places and penſions during the continuance of the American war.—Nothing, Sir, could have met my ideas more than ſuch a tax if it was conſidered as a practical ſatire on that war, and as a penalty upon thoſe who led us into it; but in any other view it appeared to me very liable to objections. I conſidered the ſcheme as neither ſubſtantial, nor permanent, nor ſyſtema-

* Thomas Gilbert, Eſq. member for Litchfield.

tical,

tical, nor likely to be a corrective of evil influence. I have always thought employments a very proper ſubject of regulation, but a very ill-choſen ſubject for a tax. An equal tax upon property is reaſonable; becauſe the object is of the ſame quality throughout. The ſpecies is the ſame, it differs only in its quantity: but a tax upon ſalaries is totally of a different nature; there can be no equality, and conſequently no juſtice, in taxing them by the hundred, in the groſs.

We have, Sir, on our eſtabliſhment, ſeveral offices which perform real ſervice—We have alſo places that provide large rewards for no ſervice at all. We have ſtations which are made for the publick decorum; made for preſerving the grace and majeſty of a great people—We have likewiſe expenſive formalities, which tend rather to the diſgrace than the ornament of the ſtate and the court. This, Sir, is the real condition of our eſtabliſhments. To fall with the ſame ſeverity on objects ſo perfectly diſſimilar, is the very reverſe of a reformation. I mean a reformation framed, as all ſerious things ought to be, in number, weight and meaſure.—Suppoſe, for inſtance, that two men receive a ſalary of 800*l.* a year each.—In the office of one there is nothing at all to be done; in the other, the occupier is oppreſſed by its duties.—Strike off twenty-five *per cent.* from theſe two offices, you take from one man 200*l.* which in juſtice

juſtice he ought to have, and you give in effect to the other 600*l.* which he ought not to receive. The publick robs the former, and the latter robs the publick; and this mode of mutual robbery is the only way in which the office and the publick can make up their accounts.

But the balance in ſettling the account of this double injuſtice, is much againſt the ſtate. The reſult is ſhort. You purchaſe a ſaving of two hundred pounds, by a profuſion of ſix. Beſides, Sir, whilſt you leave a ſupply of unſecured money behind, wholly at the diſcretion of miniſters, they make up the tax to ſuch places as they wiſh to favour, or in ſuch new places as they may chooſe to create. Thus the civil liſt becomes oppreſſed with debt; and the publick is obliged to repay, and to repay with an heavy intereſt, what it has taken by an injudicious tax. Such has been the effect of the taxes hitherto laid on penſions and employments, and it is no encouragement to recur again to the ſame expedient.

In effect, ſuch a ſcheme is not calculated to produce, but to prevent, reformation. It holds out a ſhadow of preſent gain to a greedy and neceſſitous publick, to divert their attention from thoſe abuſes, which in reality are the great cauſes of their wants. It is a compoſition to ſtay inquiry; it is a fine paid by miſmanagement, for the renewal of its leaſe. What is worſe, it is a fine paid

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by industry and merit, for an indemnity to the idle and the worthless. But I shall say no more upon this topick, because (whatever may be given out to the contrary) I know that the noble lord in the blue ribbon perfectly agrees with me in these sentiments.

After all that I have said on this subject, I am so sensible, that it is our duty to try every thing which may contribute to the relief of the nation, that I do not attempt wholly to reprobate the idea even of a tax. Whenever, Sir, the incumbrance of useless office (which lies no less a dead weight upon the service of the state, than upon its revenues) shall be removed;—when the remaining offices shall be classed according to the just proportion of their rewards and services, so as to admit the application of an equal rule to their taxation; when the discretionary power over the civil list cash shall be so regulated, that a minister shall no longer have the means of repaying with a private, what is taken by a publick hand—if after all these preliminary regulations, it should be thought that a tax on places is an object worthy of the publick attention, I shall be very ready to lend my hand to a reduction of their emoluments.

Having thus, Sir, not so much absolutely rejected, as postponed, the plan of a taxation of office,—my next business was to find something which might be really substantial and effectual. I

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am quite clear, that if we do not go to the very origin and first ruling cauſe of grievances, we do nothing. What does it ſignify to turn abuſes out of one door, if we are to let them in at another? What does it ſignify to promote economy upon a meaſure, and to ſuffer it to be ſubverted in the principle? Our miniſters are far from being wholly to blame for the preſent ill order which prevails. Whilſt inſtitutions directly repugnant to good management, are ſuffered to remain, no effectual or laſting reform *can* be introduced.

I therefore thought it neceſſary, as ſoon as I conceived thoughts of ſubmitting to you ſome plan of reform, to take a comprehenſive view of the ſtate of this country; to make a ſort of ſurvey of its juriſdictions, its eſtates, and its eſtabliſhments. Something, in every one of them, ſeemed to me to ſtand in the way of all economy in their adminiſtration, and prevented every poſſibility of methodizing the ſyſtem. But being, as I ought to be, doubtful of myſelf, I was reſolved not to proceed in an *arbitrary* manner, in any particular which tended to change the ſettled ſtate of things, or in any degree to affect the fortune or ſituation, the intereſt or the importance, of any individual. By an arbitrary proceeding, I mean one conducted by the private opinions, taſtes, or feelings, of the man who attempts to regulate. Theſe private meaſures are not ſtandards of the exchequer, nor balances

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lances of the ſanctuary. General principles cannot be debauched or corrupted by intereſt or caprice; and by thoſe principles I was reſolved to work.

Sir, before I proceed further, I will lay theſe principles fairly before you, that afterwards you may be in a condition to judge whether every object of regulation, as I propoſe it, comes fairly under its rule. This will exceedingly ſhorten all diſcuſſion between us, if we are perfectly in earneſt in eſtabliſhing a ſyſtem of good management. I therefore lay down to myſelf, ſeven fundamental rules; they might indeed be reduced to two or three ſimple maxims, but they would be too general, and their application to the ſeveral heads of the buſineſs, before us, would not be ſo diſtinct and viſible. I conceive then,

*Firſt*, That all juriſdictions which furniſh more matter of expence, more temptation to oppreſſion, or more means and inſtruments of corrupt influence, than advantage to juſtice or political adminiſtration, ought to be aboliſhed.

*Secondly*, That all publick eſtates which are more ſubſervient to the purpoſes of vexing, overawing, and influencing thoſe who hold under them, and to the expence of perception and management, than of benefit to the revenue, ought, upon every principle, both of revenue and of freedom, to be diſpoſed of.

*Thirdly*,

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*Thirdly*, That all offices which bring more charge than proportional advantage to the ſtate; that all offices which may be engrafted on others, uniting and ſimplifying their duties, ought in the firſt caſe, to be taken away; and in the ſecond, to be conſolidated.

*Fourthly*, That all ſuch offices ought to be aboliſhed, as obſtruct the proſpect of the general ſuperintendant of finance; which deſtroy his ſuperintendancy, which diſable him from foreſeeing and providing for charges as they may occur; from preventing expence in its origin, checking it in its progreſs, or ſecuring its application to its proper purpoſes. A miniſter under whom expences can be made without his knowledge, can never ſay what it is that he can ſpend, or what it is that he can ſave.

*Fifthly*, That it is proper to eſtabliſh an invariable order in all payments; which will prevent partiality; which will give preference to ſervices, not according to the importunity of the demandant, but the rank and order of their utility or their juſtice.

*Sixthly*, That it is right to reduce every eſtabliſhment, and every part of an eſtabliſhment (as nearly as poſſible) to certainty, the life of all order and good management.

*Seventhly*, That all ſubordinate treaſuries, as the nurſeries of miſmanagement, and as naturally drawing

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drawing to themſelves as much money as they can, keeping it as long as they can, and accounting for it as late as they can, ought to be diſſolved. They have a tendency to perplex and diſtract the publick accounts, and to excite a ſuſpicion of government even beyond the extent of their abuſe.

Under the authority and with the guidance of thoſe principles, I proceed; wiſhing that nothing in any eſtabliſhment may be changed, where I am not able to make a ſtrong, direct, and ſolid application of thoſe principles, or of ſome one of them. An œconomical conſtitution is a neceſſary baſis for an œconomical adminiſtration.

Firſt, with regard to the ſovereign juriſdictions, I muſt obſerve, Sir, that whoever takes a view of this kingdom in a curſory manner, will imagine, that he beholds a ſolid, compacted, uniform ſyſtem of monarchy; in which all inferiour juriſdictions are but as rays diverging from one centre. But on examining it more nearly, you find much eccentricity and confuſion. It is not a monarchy in ſtrictneſs. But, as in the Saxon times this country was an heptarchy, it is now a ſtrange ſort of *pentarchy*. It is divided into five ſeveral diſtinct principalities, beſides the ſupreme. There is indeed this difference from the Saxon times, that as in the itinerant exhibitions of the ſtage, for want of a complete company, they are obliged to throw



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a variety of parts on their chief performer; ſo our ſovereign condeſcends himſelf to act, not only the principal but all the ſubordinate parts in the play. He condeſcends to diſſipate the royal character, and to trifle with thoſe light ſubordinate lacquered ſceptres in thoſe hands that ſuſtain the ball, repreſenting the world, or which wield the trident that commands the ocean. Croſs a brook, and you loſe the king of England; but you have ſome comfort in coming again under his majeſty, though "ſhorn of his beams," and no more than prince of Wales. Go to the north, and you find him dwindled to a duke of Lancaſter; turn to the weſt of that north, and he pops upon you in the humble character of earl of Cheſter. Travel a few miles on, the earl of Cheſter diſappears; and the king ſurpriſes you again as count palatine of Lancaſter. If you travel beyond Mount Edgecombe, you find him once more in his incognito, and he is duke of Cornwall. So that, quite fatigued and ſatiated with this dull variety, you are infinitely refreſhed when you return to the ſphere of his proper ſplendour, and behold your amiable ſovereign in his true, ſimple, undiſguiſed, native character of majeſty.

In every one of theſe five principalities, duchies, palatinates, there is a regular eſtabliſhment of conſiderable expence, and moſt domineering influence. As his majeſty ſubmits to appear in this ſtate of ſubordination to himſelf, his loyal peers and faithful

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ful commons attend his royal transformations; and are not ſo nice as to refuſe to nibble at thoſe crumbs of emoluments, which conſole their petty metamorphoſes. Thus every one of thoſe principalities has the apparatus of a kingdom, for the juriſdiction over a few private eſtates; and the formality and charge of the exchequer of Great Britain, for collecting the rents of a country 'ſquire. Cornwall is the beſt of them; but when you compare the charge with the receipt, you will find that it furniſhes no exception to the general rule. The duchy and county palatine of Lancaſter do not yield, as I have reaſon to believe, on an average of twenty years, four thouſand pounds a year, clear to the crown. As to Wales, and the county palatine of Cheſter, I have my doubts, whether their productive exchequer yields any returns at all. Yet one may ſay, that this revenue is more faithfully applied to its purpoſes than any of the reſt; as it exiſts for the ſole purpoſe of multiplying offices, and extending influence.

An attempt was lately made to improve this branch of local influence, and to transfer it to the fund of general corruption. I have on the ſeat behind me, the conſtitution of Mr. John Probert; a knight-errant dubbed by the noble lord in the blue-ribbon, and ſent to ſearch for revenues and adventures upon the mountains of Wales. The commiſſion is remarkable; and the event not leſs



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ſo, The commiſſion ſets forth, that "Upon a "report of the *deputy auditor*, (for there is a deputy "auditor) of the principality of Wales, it ap- "peared, that his majeſty's land revenues in the "ſaid principality, *are greatly diminiſhed*;"—and "that upon a *report* of the *ſurveyor general* of his "majeſty's land revenues, upon a *memorial* of the "auditor of his majeſty's revenues *within the ſaid* "*principality*, that his mines and forests have pro- "duced very *little profit either to the publick revenue* "*or to individuals*;"—and therefore they appoint Mr. Probert, with a penſion of three hundred pounds a year from the ſaid principality, to try whether he can make any thing more of that very *little* which is ſtated to be ſo *greatly* diminiſhed. "*A beggarly account of empty boxes.*" And yet, Sir, you will remark—that this diminution from littleneſs (which ſerves only to prove the infinite diviſibility of matter) was not for want of the tender, and officious care (as we ſee) of ſurveyors general, and ſurveyors particular; of auditors and deputy auditors; not for want of memorials, and remonſtrances, and reports, and commiſſions, and conſtitutions, and inquiſitions, and penſions.

Probert, thus armed, and accoutred—and paid, proceeded on his adventure; but he was no ſooner arrived on the confines of Wales, than all Wales was in arms to meet him. That nation is brave, and full of ſpirit. Since the invaſion of king Edward,

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ward, and the maſſacre of the bards, there never was ſuch a tumult, and alarm, and uproar, through the region of *Preſtatyn*. *Snowden* ſhook to its baſe; *Cader Idris* was looſened from its foundations. The fury of litigious war blew her horn on the mountains. The rocks poured down their goat-herds, and the deep caverns vomited out their miners. Every thing above ground, and every thing under ground, was in arms.

In ſhort, Sir, to alight from my Welſh Pegaſus, and to come to level ground; the *Preux Chevalier* Probert went to look for revenues like his maſters upon other occaſions; and like his maſters, he found rebellion. But we were grown cautious by experience. A civil war of paper might end in a more ſerious war; for now remonſtrance met remonſtrance, and memorial was oppoſed to memorial. The wiſe Britons thought it more reaſonable that the poor waſted decrepid revenue of the principality, ſhould die a natural than a violent death. In truth, Sir, the attempt was no leſs an affront upon the underſtanding of that reſpectable people, than it was an attack on their property. They choſe rather that their ancient moſs-grown caſtles ſhould moulder into decay, under the ſilent touches of time, and the ſlow formality of an oblivious and drowſy exchequer, than that they ſhould be battered down all at once, by the lively efforts of a penſioned engineer. As it is the for-



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tune of the noble lord, to whom the auſpices of this campaign belonged, frequently to provoke reſiſtance, ſo it is his rule and nature to yield to that reſiſtance *in all caſes whatſoever*. He was true to himſelf on this occaſion. He ſubmitted with ſpirit to the ſpirited remonſtrances of the Welſh. Mr. Probert gave up his adventure, and keeps his penſion—and ſo ends "the famous hiſtory of the revenue "adventures of the bold baron North, and the "good knight Probert, upon the mountains of "Venodotia."

In ſuch a ſtate is the exchequer of Wales at preſent, that upon the report of the treaſury itſelf, its *little* revenue is *greatly* diminiſhed; and we ſee by the whole of this ſtrange tranſaction, that an attempt to improve it produces reſiſtance; the reſiſtance produces ſubmiſſion; and the whole ends in penſion*.

It is nearly the ſame with the revenues of the duchy of Lancaſter. To do nothing with them is extinction; to improve them is oppreſſion. Indeed, the whole of the eſtates which ſupport theſe minor principalities, is made up, not of revenues

* Here Lord North ſhook his head, and told thoſe who ſat near him, that Mr. Probert's penſion was to depend on his ſucceſs. It may be ſo. Mr. Probert's penſion was, however, no eſſential part of the queſtion; nor did Mr. B. care whether he ſtill poſſeſſed it or not. His point was, to ſhew the ridicule of attempting an improvement of the Welſh revenue under its preſent eſtabliſhment.

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and rents, and profitable fines, but of claims, of pretenſions, of vexations, of litigations. They are exchequers of unfrequent receipt, and conſtant charge; a ſyſtem of finances not fit for an œconomiſt who would be rich; not fit for a prince who would govern his ſubjects with equity and juſtice.

It is not only between prince and ſubject, that theſe mock juriſdictions, and mimick revenues produce great miſchief. They excite among the people a ſpirit of informing, and delating; a ſpirit of ſupplanting and undermining one another. So that many in ſuch circumſtances, conceive it advantageous to them, rather to continue ſubject to vexation themſelves, than to give up the means and chance of vexing others. It is exceedingly common for men to contract their love to their country, into an attachment to its petty ſubdiviſions; and they ſometimes even cling to their provincial abuſes, as if they were franchiſes and local privileges. Accordingly, in places, where there is much of this kind of eſtate, perſons will be always found, who would rather truſt to their talents in recommending themſelves to power for the renewal of their intereſts, than to incumber their purſes, though never ſo lightly, in order to tranſmit independence to their poſterity. It is a great miſtake, that the deſire of ſecuring property is univerſal among mankind. Gaming is a principle inherent in human nature. It belongs to us all.



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I would therefore break thoſe tables; I would furniſh no evil occupation for that ſpirit. I would make every man look every where, except to the intrigue of a court, for the improvement of his circumſtances, or the ſecurity of his fortune. I have in my eye a very ſtrong caſe in the duchy of Lancaſter (which lately occupied Weſtminſter-hall, and the houſe of lords) as my voucher for many of theſe reflections*.

For what plauſible reaſon are theſe principalities ſuffered to exiſt? When a government is rendered complex (which in itſelf is no deſireable thing) it ought to be for ſome political end, which cannot be anſwered otherwiſe. Subdiviſions in government, are only admiſſible in favour of the dignity of inferiour princes, and high nobility; or for the ſupport of an ariſtocratick confederacy under ſome head; or for the conſervation of the franchiſes of the people in ſome privileged province. For the two former of theſe ends, ſuch are the ſubdiviſions in favour of the electoral and other princes in the empire; for the latter of theſe purpoſes are the juriſdiction of the imperial cities, and the Hanſe towns. For the latter of theſe ends are alſo the countries of the States [*Pais d'Etats*] and certain cities, and orders in France. Theſe are all regulations with an object, and ſome of them with a

* Caſe of Richard Lee, Eſq. appellant, againſt George Venables Lord Vernon, reſpondent, in the year 1776.

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very good object. But how are the principles of any of these subdivisions applicable in the case before us?

Do they answer any purpose to the king? The principality of Wales was given by patent to Edward the Black Prince, on the ground on which it has since stood.—Lord Coke sagaciously observes upon it, "That in the charter of creating the "Black Prince Edward prince of Wales, there is "a *great mystery*—for *less* than an estate of inheri- "tance, so *great* a prince *could* not have, and an "*absolute estate of inheritance* in so *great* a principa- "lity as Wales (this principality being *so dear* to "him) he *should* not have; and therefore it was "made, *sibi et heredibus suis regibus Angliæ*, that "by his decease, or attaining to the crown, it "might be extinguished in the crown."

For the sake of this foolish *mystery*, of what a great prince *could* not have *less*, and *should* not have *so much*, of a principality which was too *dear* to be given, and too *great* to be kept—and for no other cause that ever I could find—this form and shadow of a principality, without any substance, has been maintained. That you may judge in this instance, (and it serves for the rest) of the difference between a great and a little œconomy, you will please to recollect, Sir, that Wales may be about the tenth part of England in size and population; and certainly not a hundredth part in opulence.

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lence. Twelve judges perform the whole of the buſineſs, both of the ſtationary and itinerant juſtice of this kingdom; but for Wales, there are eight judges. There is in Wales an exchequer, as well as in all the duchies, according to the very beſt and moſt authentick abſurdity of form. There are in all of them, a hundred more difficult trifles and laborious fooleries, which ſerve no other purpoſe than to keep alive corrupt hope and ſervile dependence.

Theſe principalities are ſo far from contributing to the eaſe of the king, to his wealth, or his dignity, that they render both his ſupreme and his ſubordinate authority perfectly ridiculous. It was but the other day, that that pert, factious fellow, the duke of Lancaſter, preſumed to fly in the face of his liege lord, our gracious ſovereign; and *aſſociating* with a parcel of lawyers as factious as himſelf, to the deſtruction of *all law and order*, and *in committees leading directly to rebellion*—preſumed to go to law with the king. The object is neither your buſineſs, nor mine. Which of the parties got the better, I really forget. I think it was (as it ought to be) the king. The material point is, that the ſuit coſt about fifteen thouſand pounds. But as the duke of Lancaſter is but a ſort of *duke Humphrey*, and not worth a groat, our ſovereign was obliged to pay the coſts of both. Indeed this art of converting a great monarch into a little prince,

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prince, this royal maſquerading, is a very dangerous and expenſive amuſement; and one of the king's *menus plaiſirs*, which ought to be reformed. This duchy, which is not worth four thouſand pounds a year at beſt, to *revenue*, is worth forty or fifty thouſand to *influence*.

The duchy of Lancaſter, and the county palatine of Lancaſter, anſwered, I admit, ſome purpoſe in their original creation. They tended to make a ſubject imitate a prince. When Henry the Fourth from that ſtair aſcended the throne, high-minded as he was, he was not willing to kick away the ladder. To prevent that principality from being extinguiſhed in the crown, he ſevered it by act of parliament. He had a motive, ſuch as it was; he thought his title to the crown unſound, and his poſſeſſion inſecure. He therefore managed a retreat in his duchy; which Lord Coke calls (I do not know why) *par multis regnis*. He flattered himſelf that it was practicable to make a projecting point half way down, to break his fall from the precipice of royalty; as if it were poſſible for one who had loſt a kingdom to keep any thing elſe. However, it is evident that he thought ſo. When Henry the Fifth united, by act of parliament, the eſtates of his mother to the duchy, he had the ſame predilection with his father, to the root of his family honours, and the ſame policy in enlarging the ſphere of a poſſible retreat from the ſlippery

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pery royalty of the two great crowns he held. All this was changed by Edward the Fourth. He had no ſuch family partialities, and his policy was the reverſe of that of Henry the Fourth and Henry the Fifth. He accordingly again united the duchy of Lancaſter to the crown. But when Henry the Seventh, who choſe to conſider himſelf as of the houſe of Lancaſter, came to the throne, he brought with him the old pretenſions, and the old politicks of that houſe. A new act of parliament, a ſecond time, diſſevered the duchy of Lancaſter from the crown; and in that line things continued until the ſubverſion of the monarchy, when principalities and powers fell along with the throne. The duchy of Lancaſter muſt have been extinguiſhed, if Cromwell, who began to form ideas of aggrandizing his houſe, and raiſing the ſeveral branches of it, had not cauſed the duchy to be again ſeparated from the commonwealth, by an act of the parliament of thoſe times.

What partiality, what objects of the politicks of the houſe of Lancaſter, or of Cromwell, has his preſent majeſty, or his majeſty's family? What power have they within any of theſe principalities, which they have not within their kingdom? In what manner is the dignity of the nobility concerned in theſe principalities? What rights have the ſubject there, which they have not at leaſt equally in every other part of the nation. Theſe diſtinctions

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diſtinctions exiſt for no good end to the king, to the nobility, or to the people. They ought not to exiſt at all. If the crown (contrary to its nature, but moſt conformably to the whole tenour of the advice that has been lately given) ſhould ſo far forget its dignity, as to contend, that theſe juriſdictions and revenues are eſtates of private property, I am rather for acting as if that groundleſs claim were of ſome weight, than for giving up that eſſential part of the reform. I would value the clear income, and give a clear annuity to the crown, taken on the medium produce for twenty years.

If the crown has any favourite name or title, if the ſubject has any matter of local accommodation within any of theſe juriſdictions, it is meant to preſerve them; and to improve them, if any improvement can be ſuggeſted. As to the crown reverſions or titles upon the property of the people there, it is propoſed to convert them from a ſhare to their independence, into a relief from their burthens. I propoſe, therefore, to unite all the five principalities to the crown, and to its ordinary juriſdiction,—to aboliſh all thoſe offices that produce an uſeleſs and chargeable ſeparation from the body of the people,—to compenſate thoſe who do not hold their offices; (if any ſuch there are) at the pleaſure of the crown,—to extinguiſh vexatious titles by an act of ſhort limitation,—to ſell thoſe unprofitable

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unprofitable eſtates which ſupport uſeleſs juriſdictions, and to turn the tenant-right into a fee, on ſuch moderate terms as will be better for the ſtate than its preſent right, and which it is impoſſible for any rational tenant to refuſe.

As to the duchies, their judicial œconomy may be provided for without charge. They have only to fall of courſe into the common county adminiſtration. A commiſſion more or leſs made or omitted, ſettles the matter fully. As to Wales it has been propoſed to add a judge to the ſeveral courts of Weſtminſter-hall; and it has been conſidered as an improvement in itſelf. For my part, I cannot pretend to ſpeak upon it with clearneſs or with deciſion; but certainly this arrangement would be more than ſufficient for Wales. My original thought was to ſuppreſs five of the eight judges; and to leave the chief juſtice of Cheſter, with the two ſenior judges; and, to facilitate the buſineſs, to throw the twelve counties into ſix diſtricts, holding the ſeſſions alternately in the counties of which each diſtrict ſhall be compoſed. But on this I ſhall be more clear, when I come to the particular bill.

Sir, the houſe will now ſee whether, in praying for judgment againſt the minor principalities, I do not act in conformity to the laws that I had laid to myſelf, of getting rid of every juriſdiction more ſubſervient to oppreſſion and expence, than to any end

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end of juſtice or honeſt policy; of abolishing offices more expenſive than uſeful; of combining duties improperly ſeparated; of changing revenues more vexatious than productive, into ready money; of ſuppreſſing offices which ſtand in the way of œconomy; and of cutting off lurking ſubordinate treaſuries. Diſpute the rules; controvert the application; or give your hands to this ſalutary meaſure.

Moſt of the ſame rules will be found applicable to my ſecond object—*the landed eſtate of the crown.* A landed eſtate is certainly the very worſt which the crown can poſſeſs. All minute and diſperſed poſſeſſions, poſſeſſions that are often of indeterminate value, and which require a continued perſonal attendance, are of a nature more proper for private management, than publick adminiſtration. They are fitter for the care of a frugal land ſteward, than of an office in the ſtate. Whatever they may poſſibly have been in other times, or in other countries, they are not of magnitude enough with us, to occupy a publick department, nor to provide for a publick object. They are already given up to parliament, and the gift is not of great value. Common prudence dictates even in the management of private affairs, that all diſperſed and chargeable eſtates ſhould be ſacrificed to the relief of eſtates more compact and better circumſtanced.

If it be objected, that theſe lands at preſent would

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would ſell at a low market; this is anſwered, by ſhewing that money is at a high price. The one balances the other. Lands ſell at the current rate, and nothing can ſell for more. But be the price what it may, a great object is always anſwered, whenever any property is tranſferred from hands that are not fit for that property, to thoſe that are. The buyer and ſeller muſt mutually profit by ſuch a bargain; and, what rarely happens in matters of revenue, the relief of the ſubject will go hand in hand with the profit of the exchequer.

As to the *foreſt lands*, in which the crown has (where they are not granted or preſcriptively held) the *dominion* of the *ſoil*, and the *vert* and *veniſon*; that is to ſay, the timber and the game, and in which the people have a variety of rights, in common of herbage, and other commons, according to the uſage of the ſeveral foreſts;—I propoſe to have thoſe rights of the crown valued as manerial rights are valued on an inclоſure; and a defined portion of land to be given for them; which land is to be ſold for the publick benefit.

As to the timber, I propoſe a ſurvey of the whole. What is uſeleſs for the naval purpoſes of the kingdom, I would condemn, and diſpoſe of for the ſecurity of what may be uſeful; and to inclоſe ſuch other parts as may be moſt fit to furniſh a perpetual ſupply, wholly extinguiſhing for a very obvious reaſon, all right of *veniſon* in thoſe parts.

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The forest *rights* which extend over the lands and possessions of others, being of no profit to the crown, and a grievance, as far as it goes, to the subject; these I propose to extinguish without charge to the proprietors. The several commons are to be allotted and compensated for, upon ideas which I shall hereafter explain. They are nearly the same with the principles upon which you have acted in private inclosures. I shall never quit precedents where I find them applicable. For those regulations and compensations, and for every other part of the detail, you will be so indulgent as to give me credit for the present.

The revenue to be obtained from the sale of the forest lands and rights, will not be so considerable, I believe, as many people have imagined; and I conceive it would be unwise to screw it up to the utmost, or even to suffer bidders to inhance, according to their eagerness, the purchase of objects, wherein the expence of that purchase may weaken the capital to be employed in their cultivation. This, I am well aware, might give room for partiality in the disposal. In my opinion it would be the lesser evil of the two. But I really conceive, that a rule of fair preference might be established, which would take away all sort of unjust and corrupt partiality. The principal revenue which I propose to draw from these uncultivated wastes, is to spring from the improvement and



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population of the kingdom; which never can happen, without producing an improvement more advantageous to the revenues of the crown, than the rents of the beſt landed eſtate which it can hold. I believe, Sir, it will hardly be neceſſary for me to add, that in this ſale I naturally except all the houſes, gardens, and parks, belonging to the crown, and ſuch one foreſt as ſhall be choſen by his majeſty, as beſt accommodated to his pleaſures.

By means of this part of the reform, will fall the expenſive office of *ſurveyor general*, with all the influence that attends it. By this will fall *two chief juſtices in Eyre*, with all their train of dependents. You need be under no apprehenſion, Sir, that your office is to be touched in its emoluments; they are yours by law; and they are but a moderate part of the compenſation which is given to you for the ability with which you execute an office of quite another ſort of importance; it is far from over-paying your diligence; or more than ſufficient for ſuſtaining the high rank you ſtand in, as the firſt gentleman of England. As to the duties of your chief juſticeſhip, they are very different from thoſe for which you have received the office. Your dignity is too high for a juriſdiction over wild beaſts; and your learning and talents too valuable to be waſted as chief juſtice of a deſert. I cannot reconcile it to myſelf, that you,

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you, Sir, ſhould be ſtuck up as an uſeleſs piece of antiquity.

I have now diſpoſed of the unprofitable landed eſtates of the crown, and thrown them into the maſs of private property; by which they will come, through the courſe of circulation, and through the political ſecretions of the ſtate, into our better underſtood and better ordered revenues.

I come next to the great ſupreme body of the civil government itſelf. I approach it with that awe and reverence with which a young phyſician approaches to the cure of the diſorders of his parent. Diſorders, Sir, and infirmities, there are—ſuch diſorders, that all attempts towards method, prudence, and frugality, will be perfectly vain, whilſt a ſyſtem of confuſion remains, which is not only alien, but adverſe to all œconomy; a ſyſtem, which is not only prodigal in its very eſſence, but cauſes every thing elſe which belongs to it to be prodigally conducted.

It is impoſſible, Sir, for any perſon to be an œconomiſt where no order in payments is eſtabliſhed; it is impoſſible for a man to be an œconomiſt, who is not able to take a comparative view of his means, and of his expences, for the year which lies before him; it is impoſſible for a man to be an œconomiſt, under whom various officers in their ſeveral departments may ſpend,—even



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juſt what they pleaſe,—and often with an emulation of expence, as contributing to the importance, if not profit, of their ſeveral departments. Thus much is certain; that neither the preſent, nor any other firſt lord of the treaſury, has been ever able to take a ſurvey, or to make even a tolerable gueſs, of the expences of government for any one year; ſo as to enable him with the leaſt degree of certainty, or even probability, to bring his affairs within compaſs. Whatever ſcheme may be formed upon them, muſt be made on a calculation of chances. As things are circumſtanced, the firſt lord of the treaſury cannot make an eſtimate. I am ſure I ſerve the king, and I am ſure I aſſiſt adminiſtration, by putting œconomy at leaſt in their power. We muſt *claſs ſervices*; we muſt (as far as their nature admits) *appropriate* funds; or every thing, however reformed, will fall again into the old confuſion.

Coming upon this ground of the civil liſt, the firſt thing in dignity and charge that attracts our notice, is the *royal houſehold*. This eſtabliſhment, in my opinion, is exceedingly abuſive in its conſtitution. It is formed upon manners and cuſtoms that have long ſince expired. In the firſt place, it is formed, in many reſpects, upon *feudal principles*. In the feudal times, it was not uncommon, even among ſubjects, for the loweſt offices to be held by conſiderable perſons; perſons as unfit by their incapacity,

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capacity, as improper from their rank, to occupy ſuch employments. They were held by patent, ſometimes for life, and ſometimes by inheritance. If my memory does not deceive me, a perſon of no ſlight conſideration held the office of patent hereditary cook to an earl of Warwick—The earl of Warwick's ſoups, I fear, were not the better for the dignity of his kitchen. I think it was an earl of Glouceſter, who officiated as ſteward of the houſehold to the archbiſhops of Canterbury. Inſtances of the ſame kind may in ſome degree be found in the Northumberland houſe-book, and other family records. There was ſome reaſon in ancient neceſſities, for theſe ancient cuſtoms. Protection was wanted; and the domeſtick tie, though not the higheſt, was the cloſeſt.

The king's houſehold has not only ſeveral ſtrong traces of this *feudality*, but it is formed alſo upon the principles of a *body corporate;* it has its own magiſtrates, courts, and by-laws. This might be neceſſary in the ancient times, in order to have a government within itſelf, capable of regulating the vaſt and often unruly multitude which compoſed and attended it. This was the origin of the ancient court called the *Green Cloth*—compoſed of the marſhal, treaſurer, and other great officers of the houſehold, with certain clerks. The rich ſubjects of the kingdom, who had formerly the ſame eſtabliſhments (only on a reduced ſcale) have ſince



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altered their œconomy; and turned the courſe of their expence from the maintenance of vaſt eſtabliſhments within their walls, to the employment of a great variety of independent trades abroad. Their influence is leſſened; but a mode of accommodation, and a ſtyle of ſplendour, ſuited to the manners of the times, has been increaſed. Royalty itſelf has inſenſibly followed; and the royal houſehold has been carried away by the reſiſtleſs tide of manners: but with this very material difference;—private men have got rid of the eſtabliſhments along with the reaſons of them; whereas the royal houſehold has loſt all that was ſtately and venerable in the antique manners, without retrenching any thing of the cumbrous charge of a Gothick eſtabliſhment. It is ſhrunk into the poliſhed littleneſs of modern elegance and perſonal accommodation; it has evaporated from the groſs concrete, into an eſſence and rectified ſpirit of expence, where you have tuns of ancient pomp in a vial of modern luxury.

But when the reaſon of old eſtabliſhments is gone, it is abſurd to preſerve nothing but the burthen of them. This is ſuperſtitiouſly to embalm a carcaſs not worth an ounce of the gums that are uſed to preſerve it. It is to burn precious oils in the tomb; it is to offer meat and drink to the dead,—not ſo much an honour to the deceaſed, as a diſgrace to the ſurvivors. Our palaces are vaſt inhoſpitable

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inhoſpitable halls. There the bleak winds, there "Boreas, and Eurus, and Caurus, and Argeſtes "loud," howling through the vacant lobbies, and clattering the doors of deſerted guard-rooms, appal the imagination, and conjure up the grim ſpectres of departed tyrants—the Saxon, the Norman, and the Dane; the ſtern Edwards and fierce Henries—who ſtalk from deſolation to deſolation, through the dreary vacuity, and melancholy ſucceſſion of chill and comfortleſs chambers. When this tumult ſubſides, a dead, and ſtill more frightful ſilence would reign in this deſert, if every now and then the tacking of hammers did not announce, that thoſe conſtant attendants upon all courts in all ages, Jobs, were ſtill alive; for whoſe ſake alone it is, that any trace of ancient grandeur is ſuffered to remain. Theſe palaces are a true emblem of ſome governments; the inhabitants are decayed, but the governours and magiſtrates ſtill flouriſh. They put me in mind of *Old Sarum*, where the repreſentatives, more in number than the conſtituents, only ſerve to inform us, that this was once a place of trade, and ſounding with "the "buſy hum of men," though now you can only trace the ſtreets by the colour of the corn; and its ſole manufacture is in members of parliament.

Theſe old eſtabliſhments were formed alſo on a third principle, ſtill more adverſe to the living œconomy of the age. They were formed, Sir,

on the principle of *purveyance*, and *receipt in kind*. In former days, when the household was vaſt, and the ſupply ſcanty and precarious, the royal purveyors, ſallying forth from under the Gothick portcullis, to purchaſe proviſion with power and prerogative, inſtead of money, brought home the plunder of a hundred markets, and all that could be ſeized from a flying and hiding country, and depoſited their ſpoil in a hundred caverns, with each its keeper. There, every commodity, received in its raweſt condition, went through all the proceſs which fitted it for uſe. This inconvenient receipt produced an œconomy ſuited only to itſelf. It multiplied offices beyond all meaſure; buttery, pantry, and all that rabble of places, which, though profitable to the holders, and expenſive to the ſtate, are almoſt too mean to mention.

All this might be, and I believe was, neceſſary at firſt; for it is remarkable, that *purveyance*, after its regulation had been the ſubject of a long line of ſtatutes (not fewer, I think, than twenty-ſix) was wholly taken away by the twelfth of Charles the Second; yet in the next year of the ſame reign, it was found neceſſary to revive it by a ſpecial act of parliament, for the ſake of the king's journies. This, Sir, is curious; and what would hardly be expected in ſo reduced a court as that of Charles the Second, and ſo improved a country

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as England might then be thought. But ſo it was. In our time, one well filled and well covered ſtage-coach requires more accommodation than a royal progreſs; and every diſtrict, at an hour's warning, can ſupply an army.

I do not ſay, Sir, that all theſe eſtabliſhments, whoſe principle is gone, have been ſyſtematically kept up for influence ſolely: neglect had its ſhare. But this I am ſure of, that a conſideration of influence has hindered any one from attempting to pull them down. For the purpoſes of influence, and for thoſe purpoſes only, are retained half at leaſt of the houſehold eſtabliſhments. No revenue, no not a royal revenue, can exiſt under the accumulated charge of ancient eſtabliſhment, modern luxury, and parliamentary political corruption.

If therefore we aim at regulating this houſehold, the queſtion will be, whether we ought to œconomize by *detail*, or by *principle*? The example we have had of the ſucceſs of an attempt to œconomize by detail, and under eſtabliſhments adverſe to the attempt, may tend to decide this queſtion.

At the beginning of his majeſty's reign, lord Talbot came to the adminiſtration of a great department in the houſehold. I believe no man ever entered into his majeſty's ſervice, or into the ſervice of any prince, with a more clear integrity, or with more zeal and affection for the intereſt of his maſter; and I muſt add, with abilities for a ſtill higher

higher ſervice. Œconomy was then announced as a maxim of the reign. This noble lord, therefore, made ſeveral attempts towards a reform. In the year 1777, when the king's civil liſt debts came laſt to be paid, he explained very fully the ſucceſs of his undertaking. He told the houſe of lords, that he had attempted to reduce the charges of the king's tables, and his kitchen.—The thing, Sir, was not below him. He knew that there is nothing intereſting in the concerns of men, whom we love and honour, that is beneath our attention. —"Love," ſays one of our old poets, "eſteems "no office mean;" and with ſtill more ſpirit, "en- "tire affection ſcorneth nicer hands." Frugality, Sir, is founded on the principle, that all riches have limits. A royal houſehold, grown enormous, even in the meaneſt departments, may weaken and perhaps deſtroy all energy in the higheſt offices of the ſtate. The gorging a royal kitchen may ſtint and famiſh the negotiations of a kingdom. Therefore the object was worthy of his, was worthy of any man's attention.

In conſequence of this noble lord's reſolution, (as he told the other houſe) he reduced ſeveral tables, and put the perſons entitled to them upon board wages, much to their own ſatisfaction. But unluckily, ſubſequent duties requiring conſtant attendance, it was not poſſible to prevent their being fed where they were employed—and thus

thus this firſt ſtep towards œconomy doubled the expence.

There was another diſaſter far more doleful than this. I ſhall ſtate it, as the cauſe of that misfortune lies at the bottom of almoſt all our prodigality. Lord Talbot attempted to reform the kitchen; but ſuch, as he well obſerved, is the conſequence of having duty done by one perſon, whilſt another enjoys the emoluments, that he found himſelf fruſtrated in all his deſigns. On that rock his whole adventure ſplit—His whole ſcheme of œconomy was daſhed to pieces; his department became more expenſive than ever;—the civil liſt debt accumulated—Why? It was truly from a cauſe, which, though perfectly adequate to the effect, one would not have inſtantly gueſſed;—It was becauſe the *turnſpit in the king's kitchen was a member of parliament.** The king's domeſtick ſervants were all undone; his tradeſmen remained unpaid, and became bankrupt—*becauſe the turnſpit of the king's kitchen was a member of parliament.* His majeſty's ſlumbers were interrupted, his pillow was ſtuffed with thorns, and his peace of mind entirely broken—*becauſe the king's turnſpit was a member of parliament.* The judges were unpaid; the juſtice of the kingdom bent and gave way;

* Vide lord Talbot's ſpeech in Almon's Parliamentary Regiſter, vol. vii. p. 79, of the proceedings of the lords.

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the foreign miniſters remained inactive and unprovided; the ſyſtem of Europe was diſſolved; the chain of our alliances was broken; all the wheels of government at home and abroad were ſtopped—*becauſe the king's turnſpit was a member of parliament.*

Such, Sir, was the ſituation of affairs, and ſuch the cauſe of that ſituation, when his majeſty came a ſecond time to parliament, to deſire the payment of thoſe debts which the employment of its members in various offices, viſible and inviſible, had occaſioned. I believe that a like fate will attend every attempt at œconomy by detail, under ſimilar circumſtances, and in every department. A complex operoſe office of account and control, is, in itſelf, and even if members of parliament had nothing to do with it, the moſt prodigal of all things. The moſt audacious robberies, or the moſt ſubtle frauds, would never venture upon ſuch a waſte, as an over-careful, detailed guard againſt them will infallibly produce. In our eſtabliſhments, we frequently ſee an office of account, of an hundred pounds a year expence, and another office of an equal expence, to control that office, and the whole upon a matter that is not worth twenty ſhillings.

To avoid, therefore, this minute care which produces the conſequences of the moſt extenſive neglect, and to oblige members of parliament to attend

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attend to publick cares, and not to the ſervile offices of domeſtick management, I propoſe, Sir, to *œconomize by principle*, that is, I propoſe to put affairs into that train which experience points out as the moſt effectual, from the nature of things, and from the conſtitution of the human mind. In all dealings where it is poſſible, the principles of radical œconomy preſcribe three things; firſt, undertaking by the great; ſecondly, engaging with perſons of ſkill in the ſubject matter; thirdly, engaging with thoſe who ſhall have an immediate and direct intereſt in the proper execution of the buſineſs.

To avoid frittering and crumbling down the attention by a blind unſyſtematick obſervance of every trifle, it has ever been found the beſt way to do all things which are great in the total amount, and minute in the component parts, by a *general contract*. The principles of trade have ſo pervaded every ſpecies of dealing, from the higheſt to the loweſt objects; all tranſactions are got ſo much into ſyſtem, that we may, at a moment's warning, and to a farthing value, be informed at what rate any ſervice may be ſupplied. No dealing is exempt from the poſſibility of fraud. But by a contract on a matter certain, you have this advantage—you are ſure to know the utmoſt *extent* of the fraud to which you are ſubject. By a contract with a perſon in *his own trade*, you are ſure

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ſure you ſhall not ſuffer by *want of ſkill.* By a *ſhort* contract you are ſure of making it the *intereſt* of the contractor to exert that ſkill for the ſatisfaction of his employers.

I mean to derogate nothing from the diligence or integrity of the preſent, or of any former board of green-cloth. But what ſkill can members of parliament obtain in that low kind of province? What pleaſure can they have in the execution of that kind of duty? And if they ſhould neglect it, how does it affect their intereſt, when we know that it is their vote in parliament, and not their diligence in cookery or catering, that recommends them to their office, or keeps them in it?

I therefore propoſe, that the king's tables (to whatever number of tables, or covers to each, he ſhall think proper to command) ſhould be claſſed by the ſteward of the houſehold, and ſhould be contracted for, according to their rank, by the head or cover;—that the eſtimate and circumſtance of the contract ſhould be carried to the treaſury to be approved; and that its faithful and ſatisfactory performance ſhould be reported there previous to any payment; that there, and there only, ſhould the payment be made. I propoſe, that men ſhould be contracted with only in their proper trade; and that no member of parliament ſhould be capable of ſuch contract. By this plan, almoſt all the infinite offices under the lord ſteward may

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may be ſpared; to the extreme ſimplification, and to the far better execution of every one of his functions. The king of Pruſſia is ſo ſerved. He is a great and eminent (though indeed a very rare) inſtance of the poſſibility of uniting in a mind of vigour and compaſs, an attention to minute objects, with the largeſt views, and the moſt complicated plans. His tables are ſerved by contract, and by the head. Let me ſay, that no prince can be aſhamed to imitate the king of Pruſſia; and particularly to learn in his ſchool, when the problem is—"The beſt manner of reconciling the ſtate of a "court with the ſupport of war?" Other courts, I underſtand, have followed him with effect, and to their ſatisfaction.

The ſame clue of principle leads us through the labyrinth of the other departments. What, Sir, is there in the office of *the great wardrobe* (which has the care of the king's furniture) that may not be executed by the *lord chamberlain himſelf?* He has an honourable appointment; he has time ſufficient to attend to the duty; and he has the vice chamberlain to aſſiſt him. Why ſhould not he deal alſo by contract, for all things belonging to this office, and carry his eſtimates firſt, and his report of the execution in its proper time, for payment, directly to the board of treaſury itſelf? By a ſimple operation (containing in it a treble control) the expences of a department, which for naked walls, or

walls

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walls hung with cobwebs, has in a few years cost the crown 150,000*l.* may at length hope for regulation. But, Sir, the office and its buſineſs are at variance. As it ſtands, it ſerves not to furniſh the palace with its hangings, but the parliament with its dependent members.

To what end, Sir, does the office of *removing wardrobe* ſerve at all? Why ſhould a *jewel office* exiſt for the ſole purpoſe of taxing the king's gifts of plate? Its object falls naturally within the *chamberlain's* province; and ought to be under his care and inſpection without any fee. Why ſhould an office of the *robes* exiſt, when that of *groom of the ſtole* is a ſinecure, and that this is a proper object of his department?

All theſe incumbrances, which are themſelves nuiſances, produce other incumbrances, and other nuiſances. For the payment of theſe uſeleſs eſtabliſhments, there are no leſs than *three uſeleſs treaſurers*; two to hold a purſe, and one to play with a ſtick. The treaſurer of the houſehold is a mere name. The cofferer, and the treaſurer of the chamber receive and pay great ſums, which it is not at all neceſſary *they* ſhould either receive or pay. All the proper officers, ſervants, and tradeſmen, may be inrolled in their ſeveral departments, and paid in proper claſſes and times with great ſimplicity and order, at the exchequer, and by direction from the treaſury.

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The *board of works*, which in the seven years preceding 1777, has cost towards 400,000l.;* and (if I recollect rightly) has not cost less in proportion from the beginning of the reign, is under the very same description of all the other ill-contrived establishments, and calls for the very same reform. We are to seek for the visible signs of all this expence.—For all this expence, we do not see a building of the size and importance of a pigeon-house. Buckingham-house was reprised by a bargain with the publick for one hundred thousand pounds;—and the small house at Windsor has been, if I mistake not, undertaken since that account was brought before us. The good works of that board of works, are as carefully concealed as other good works ought to be; they are perfectly invisible. But though it is the perfection of charity to be concealed, it is, Sir, the property and glory of magnificence, to appear and stand forward to the eye.

That board, which ought to be a concern of builders, and such like, and of none else, is turned into a junto of members of parliament. That office too has a *treasury*, and a paymaster of its own; and lest the arduous affairs of that important exchequer should be too fatiguing, that paymaster has a deputy to partake his profits, and relieve his cares. I do not believe, that either now or in former times, the chief managers of that

* More exactly 378,616l. 10s. 1½d.

board have made any profit of its abuſe. It is, however, no good reaſon that an abuſive eſtabliſhment ſhould ſubſiſt, becauſe it is of as little private as of publick advantage. But this eſtabliſhment has the grand radical fault, the original ſin, that pervades and perverts all our eſtabliſhments;—the apparatus is not fitted to the object, nor the workmen to the work. Expences are incurred on the private opinion of an inferiour eſtabliſhment, without conſulting the principal; who can alone determine the proportion which it ought to bear to the other eſtabliſhments of the ſtate, in the order of their relative importance.

I propoſe, therefore, along with the reſt, to pull down this whole ill-contrived ſcaffolding, which obſtructs, rather than forwards our publick works, to take away its treaſury; to put the whole into the hands of a real builder, who ſhall not be a member of parliament; and to oblige him by a previous eſtimate and final payment, to appear twice at the treaſury before the publick can be loaded. The king's gardens are to come under a ſimilar regulation.

The *mint*, though not a department of the houſehold, has the ſame vices. It is a great expence to the nation, chiefly for the ſake of members of parliament. It has its officers of parade and dignity. It has its treaſury too. It is a ſort of corporate body; and formerly was a body of great impor-

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tance; as much so on the then scale of things, and the then order of business, as the bank is at this day. It was the great centre of money transactions and remittances for our own, and for other nations; until king Charles the First, among other arbitrary projects, dictated by despotick necessity, made it withhold the money that lay there for remittance. That blow (and happily too) the mint never recovered. Now it is no bank; no remittance-shop. The mint, Sir, is a *manufacture*, and it is nothing else; and it ought to be undertaken upon the principles of a manufacture; that is, for the best and cheapest execution, by a contract upon proper securities, and under proper regulations.

The *artillery* is a far greater object; it is a military concern; but having an affinity and kindred in its defects with the establishments I am now speaking of, I think it best to speak of it along with them. It is, I conceive, an establishment not well suited to its martial, though exceedingly well calculated for its parliamentary purposes.—Here there is a *treasury*, as in all the other inferiour departments of government. Here the military is subordinate to the civil, and the naval confounded with the land service. The object indeed is much the same in both. But when the detail is examined, it will be found that they had better be separated. For a reform of this office, I propose to restore things to what (all considerations taken together)



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is their natural order; to reſtore them to their juſt proportion, and to their juſt diſtribution. I propoſe, in this military concern, to render the civil ſubordinate to the military; and this will annihilate the greateſt part of the expence, and all the influence belonging to the office. I propoſe to ſend the military branch to the army, and the naval to the admiralty: and I intend to perfect and accompliſh the whole detail (where it becomes too minute and complicated for legiſlature, and requires exact, official, military, and mechanical knowledge) by a commiſſion of competent officers in both departments. I propoſe to execute by contract, what by contract can be executed; and to bring, as much as poſſible, all eſtimates to be previouſly approved, and finally to be paid by the treaſury.

Thus, by following the courſe of nature, and not the purpoſes of politicks, or the accumulated patchwork of occaſional accommodation, this vaſt expenſive department may be methodized; its ſervice proportioned to its neceſſities, and its payments ſubjected to the inſpection of the ſuperiour miniſter of finance; who is to judge of it on the reſult of the total collective exigencies of the ſtate. This laſt is a reigning principle through my whole plan; and it is a principle which I hope may hereafter be applied to other plans.

By theſe regulations taken together—beſides the

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the three ſubordinate treaſuries in the leſſer principalities, five other ſubordinate treaſuries are ſuppreſſed. There is taken away the whole *eſtabliſhment of detail* in the houſehold; the *treaſurer*;—the *comptroller* (for a comptroller is hardly neceſſary where there is no treaſurer) the *cofferer of the houſehold*;—the *treaſurer of the chamber*;—the *maſter of the houſehold*; the whole *board of green cloth*;——and a vaſt number of ſubordinate offices in the department of the *ſteward of the houſehold*;—the whole eſtabliſhment of the *great wardrobe*;—the *removing wardrobe*;—the *jewel office*;—the *robes*; the *board of works*; almoſt the whole charge of the *civil branch* of the *board of ordnance* are taken away. All theſe arrangements together will be found to relieve the nation from a vaſt weight of influence, without diſtreſſing, but rather by forwarding every publick ſervice. When ſomething of this kind is done, then the publick may begin to breathe. Under other governments, a queſtion of expence is only a queſtion of œconomy, and it is nothing more; with us in every queſtion of expence, there is always a mixture of conſtitutional conſiderations.

It is, Sir, becauſe I wiſh to keep this buſineſs of ſubordinate treaſuries as much as I can together, that I brought the *ordnance-office* before you, though it is properly a military department. For the ſame reaſon I will now trouble you with my thoughts and



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propoſitions upon two of the greateſt *under treaſuries*, I mean the office of *paymaſter of the land forces*, or *treaſurer of the army*; and that of the *treaſurer of the navy*. The former of theſe has long been a great object of publick ſuſpicion and uneaſineſs. Envy too has had its ſhare in the obloquy which is caſt upon this office. But I am ſure that it has no ſhare at all in the reflections I ſhall make upon it, or in the reformations that I ſhall propoſe. I do not grudge to the honourable gentleman who at preſent holds the office, any of the effects of his talents, his merit or his fortune. He is reſpectable in all theſe particulars. I follow the conſtitution of the office without perſecuting its holder. It is neceſſary in all matters of publick complaint, where men frequently feel right and argue wrong, to ſeparate prejudice from reaſon; and to be very ſure, in attempting the redreſs of a grievance, that we hit upon its real ſeat, and its true nature. Where there is an abuſe in office, the firſt thing that occurs in heat is to cenſure the officer. Our natural diſpoſition leads all our inquiries rather to perſons than to things. But this prejudice is to be corrected by maturer thinking.

Sir, the profits of the *pay-office* (as an office) are not too great, in my opinion, for its duties, and for the rank of the perſon who has generally held it. He has been generally a perſon of the higheſt rank; that is to ſay, a perſon of eminence and conſideration

ſideration in this houſe. The great and the invidious profits of the pay-office are from the *bank* that is held in it. According to the preſent courſe of the office, and according to the preſent mode of accounting there, this bank muſt neceſſarily exiſt ſomewhere. Money is a productive thing; and when the uſual time of its demand can be tolerably calculated, it may, with prudence, be ſafely laid out to the profit of the holder. It is on this calculation that the buſineſs of banking proceeds. But no profit can be derived from the uſe of money, which does not make it the intereſt of the holder to delay his account. The proceſs of the exchequer colludes with this intereſt. Is this colluſion from its want of rigour and ſtrictneſs, and great regularity of form? The reverſe is true. They have in the exchequer brought rigour and formaliſm to their ultimate perfection. The proceſs againſt accountants is ſo rigorous, and in a manner ſo unjuſt, that correctives muſt, from time to time, be applied to it. Theſe correctives being diſcretionary, upon the caſe, and generally remitted by the barons to the lords of the treaſury, as the beſt judges of the reaſons for reſpite, hearings are had; delays are produced; and thus the extreme of rigour in office (as uſual in all human affairs) leads to the extreme of laxity. What with the intereſted delay of the officer; the ill-conceived exactneſs of the court; the applications for diſpen-



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ſations from that exactneſs; the revival of rigorous proceſs, after the expiration of the time; and the new rigours producing new applications, and new enlargements of time, ſuch delays happen in the publick accounts, that they can ſcarcely ever be cloſed.

Beſides, Sir, they have a rule in the exchequer, which, I believe, they have founded upon a very ancient ſtatute, that of the 51ſt of Henry III. by which it is provided, "That when a ſheriff or bailiff hath began his account, none other ſhall be "received to account until he that was firſt appointed hath clearly accounted, and that the "ſum has been received*." Whether this clauſe of that ſtatute be the ground of that abſurd practice, I am not quite able to aſcertain. But it has very generally prevailed, though I am told that of late they have began to relax from it. In conſequence of forms adverſe to ſubſtantial account, we have a long ſucceſſion of paymaſters and their repreſentatives, who have never been admitted to account, although perfectly ready to do ſo.

As the extent of our wars has ſcattered the accountants under the paymaſter into every part of the globe, the grand and ſure paymaſter, Death, in all his ſhapes, calls theſe accountants to another

* Et quant viſcount ou bailiff ait commence de accompter, nul autre ne ſeit reſceu de acconter tanque le primer qe ſoit aſſis eit peraccompte, et que la ſomme ſoit reſceu, Stat. 5. ann. dom. 1266.

reckoning.

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reckoning. Death, indeed, domineers over every thing, but the forms of the exchequer. Over theſe he has no power. They are impaſſive and immortal. The audit of the exchequer, more ſevere than the audit to which the accountants are gone, demands proofs which in the nature of things are difficult, ſometimes impoſſible to be had. In this reſpect too, rigour, as uſual, defeats itſelf. Then, the exchequer never gives a particular receipt, or clears a man of his account, as far as it goes. A final acquittance, (or a *quietus*, as they term it) is ſcarcely ever to be obtained. Terrours and ghoſts of unlaid accountants, haunt the houſes of their children from generation to generation. Families, in the courſe of ſucceſſion, fall into minorities; the inheritance comes into the hands of females; and very perplexed affairs are often delivered over into the hands of negligent guardians and faithleſs ſtewards. So that the demand remains, when the advantage of the money is gone, if ever any advantage at all has been made of it. This is a cauſe of infinite diſtreſs to families; and becomes a ſource of influence to an extent, that can ſcarcely be imagined, but by thoſe who have taken ſome pains to trace it. The mildneſs of government in the employment of uſeleſs and dangerous powers, furniſhes no reaſon for their continuance.

As things ſtand, can you in juſtice (except perhaps in that over-perfect kind of juſtice which has obtained,

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obtained, by its merits, the title of the oppoſite vice*) inſiſt that any man ſhould, by the courſe of his office, keep a *bank* from whence he is to derive no advantage? That man ſhould be ſubject to demands below, and be in a manner refuſed an acquittance above; that he ſhould tranſmit an original ſin, and inheritance of vexation to his poſterity, without a power of compenſating himſelf in ſome way or other, for ſo perilous a ſituation? We know, that if the paymaſter ſhould deny himſelf the advantages of his bank, the publick, as things ſtand, is not the richer for it by a ſingle ſhilling. This I thought it neceſſary to ſay, as to the offenſive magnitude of the profits of this office; that we may proceed in reformation, on the principles of reaſon, and not on the feelings of envy.

The treaſurer of the navy is, *mutatis mutandis*, in the ſame circumſtances. Indeed all accountants are. Inſtead of the preſent mode, which is troubleſome to the officer and unprofitable to the publick, I propoſe to ſubſtitute ſomething more effectual than rigour, which is the worſt exactor in the world. I mean to remove the very temptations to delay; to facilitate the account; and to tranſfer this bank, now of private emolument, to the publick. The crown will ſuffer no wrong at leaſt from the pay-offices; and its terrours will no longer reign over the families of thoſe who hold, or have

* Summum jus ſumma injuria.

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held them. I propoſe that theſe offices ſhould be no longer *banks* or *treaſuries*, but mere *offices of adminiſtration*.—I propoſe, firſt, that the preſent paymaſter and the treaſurer of the navy, ſhould carry into the exchequer, the whole body of the vouchers for what they have paid over to the deputy paymaſters, to regimental agents, or to any of thoſe to whom they have and ought to have paid money. I propoſe that thoſe vouchers ſhall be admitted as actual payments in their accounts; and that the perſons to whom the money has been paid, ſhall then ſtand charged in the exchequer in their place. After this proceſs, they ſhall be debited or charged for nothing but the money-balance that remains in their hands.

I am conſcious, Sir, that if this balance (which they could not expect to be ſo ſuddenly demanded by any uſual proceſs of the exchequer) ſhould now be exacted all at once, not only their ruin, but a ruin of others to an extent which I do not like to think of, but which I can well conceive, and which you may well conceive, might be the conſequence. I told you, Sir, when I promiſed before the holydays to bring in this plan, that I never would ſuffer any man or deſcription of men, to ſuffer from errours that naturally have grown out of the abuſive conſtitution of thoſe offices which I propoſe to regulate. If I cannot reform with equity, I will not reform at all.

For

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For the regulation of paſt accounts, I ſhall therefore propoſe ſuch a mode, as men, temperate and prudent, make uſe of in the management of their private affairs, when their accounts are various, perplexed, and of long ſtanding. I would therefore, after their example, divide the publick debts into three ſorts; good; bad; and doubtful. In looking over the publick accounts, I ſhould never dream of the blind mode of the exchequer, which regards things in the abſtract, and knows no difference in the quality of its debts, or the circumſtances of its debtors. By this means, it fatigues itſelf; it vexes others; it often cruſhes the poor; it lets eſcape the rich; or in a fit of mercy or careleſſneſs, declines all means of recovering its juſt demands. Content with the eternity of its claims, it enjoys its epicurean divinity with epicurean languor. But it is proper that all ſorts of accounts ſhould be cloſed ſome time or other—by payment; by compoſition; or by oblivion. *Expedit reipublicæ ut ſit finis litium.* Conſtantly taking along with me, that an extreme rigour is ſure to arm every thing againſt it, and at length to relax into a ſupine neglect, I propoſe, Sir, that even the beſt, ſoundeſt, and the moſt recent debts, ſhould be put into inſtalments, for the mutual benefit of the accountant and the publick.

In proportion, however, as I am tender of the paſt, I would be provident of the future. All money

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money that was formerly impreſted to the two great *pay-offices*, I would have impreſted in future to the *bank of England*. Theſe offices ſhould in future, receive no more than caſh ſufficient for ſmall payments. Their other payments ought to be made by drafts on the bank expreſſing the ſervice. A checque account from both offices, of drafts and receipts, ſhould be annually made up in the exchequer, charging the bank in the account, with the caſh-balance, but not demanding the payment until there is an order from the treaſury, in conſequence of a vote of parliament.

As I did not, Sir, deny to the paymaſter the natural profits of the bank that was in his hands, ſo neither would I to the bank of England. A ſhare of that profit might be derived to the publick in various ways. My favourite mode is this; that, in compenſation for the uſe of this money, the bank may take upon themſelves, firſt *the charge of the mint*; to which they are already, by their charter, obliged to bring in a great deal of bullion annually to be coined.

In the next place, I mean that they ſhould take upon themſelves the charge of *remittances to our troops abroad*. This is a ſpecies of dealing from which, by the ſame charter, they are not debarred. One and a quarter *per cent.* will be ſaved inſtantly thereby to the publick, on very large ſums of money. This will be at once a matter of œconomy, and a conſiderable

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conſiderable reduction of influence, by taking away a private contract of an expenſive nature. If the bank, which is a great corporation, and of courſe receives the leaſt profits from the money in their cuſtody, ſhould of itſelf refuſe, or be perſuaded to refuſe this offer upon thoſe terms, I can ſpeak with ſome confidence, that one at leaſt, if not both parts of the condition would be received, and gratefully received, by ſeveral bankers of eminence. There is no banker who will not be at leaſt as good ſecurity as any paymaſter of the forces, or any treaſurer of the navy, that have ever been bankers to the publick: as rich at leaſt as my lord Chatham, or my lord Holland, or either of the honourable gentlemen who now hold the offices, were at the time that they entered into them; or as ever the whole eſtabliſhment of the *mint* has been at any period.

Theſe, Sir, are the outlines of the plan I mean to follow, in ſuppreſſing theſe two large ſubordinate treaſuries. I now come to another ſubordinate treaſury; I mean, that of the *paymaſter of the penſions*; for which purpoſe I re-enter the limits of the civil eſtabliſhment—I departed from thoſe limits in purſuit of a principle; and following the ſame game in its doubles, I am brought into thoſe limits again. That treaſury, and that office, I mean to take away; and to tranſfer the payment of every name, mode, and denomination of penſions,

ſions, to the *exchequer*. The preſent courſe of diverſifying the ſame object, can anſwer no good purpoſe; whatever its uſe may be to purpoſes of another kind. There are alſo other liſts of penſions; and I mean that they ſhould all be hereafter paid at one and the ſame place. The whole of the new conſolidated liſt I mean to reduce to 60,000*l.* a year, which ſum I intend it ſhall never exceed. I think that ſum will fully anſwer as a reward for all real merit, and a proviſion for all real publick charity that is ever like to be placed upon the liſt. If any merit of an extraordinary nature ſhould emerge, before that reduction is completed, I have left it open for an addreſs of either houſe of parliament to provide for the caſe. To all other demands, it muſt be anſwered, with regret but with firmneſs, "the publick is poor."

I do not propoſe, as I told you before Chriſtmas, to take away any penſion. I know, that the publick ſeem to call for a reduction of ſuch of them as ſhall appear unmerited. As a cenſorial act, and puniſhment of an abuſe, it might anſwer ſome purpoſe. But this can make no part of *my* plan. I mean to proceed by bill; and I cannot ſtop for ſuch an inquiry. I know ſome gentlemen may blame me. It is with great ſubmiſſion to better judgments that I recommend it to conſideration; that a critical retroſpective examination of the penſion liſt, upon the principle of merit, can never ſerve for my baſis.—It cannot anſwer, according to

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to my plan, any effectual purpose of œconomy, or of future permanent reformation. The process in any way will be entangled and difficult, and it will be infinitely slow: there is a danger that if we turn our line of march, now directed towards the grand object, into this more laborious than useful detail of operations, we shall never arrive at our end.

The king, Sir, has been by the constitution appointed sole judge of the merit for which a pension is to be given. We have a right undoubtedly, to canvass this, as we have to canvass every act of government. But there is a material difference between an office to be reformed, and a pension taken away for demerit. In the former case, no charge is implied against the holder; in the latter, his character is blurred, as well as his lawful emolument affected. The former process is against the thing; the second against the person. The pensioner certainly, if he pleases, has a right to stand on his own defence; to plead his possession; and to bottom his title in the competency of the crown to give him what he holds. Possessed, and on the defensive as he is, he will not be obliged to prove his special merit, in order to justify the act of legal discretion, now turned into his property, according to his tenure. The very act, he will contend, is a legal presumption, and an implication of his merit. If this be so, from the natural force of all legal presumption, he would put

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us to the difficult proof, that he has no merit at all. But other questions would arise in the course of such an inquiry; that is, questions of the merit when weighed against the proportion of the reward; then the difficulty will be much greater.

The difficulty will not, Sir, I am afraid, be much less, if we pass to the person really guilty, in the question of an unmerited pension; the minister himself. I admit that when called to account for the execution of a trust, he might fairly be obliged to prove the affirmative; and to state the merit for which the pension is given; though on the pensioner himself, such a process would be hard. If in this examination we proceed methodically, and so as to avoid all suspicion of partiality and prejudice, we must take the pensions in order of time, or merely alphabetically. The very first pension to which we come, in either of these ways, may appear the most grossly unmerited of any. But the minister may very possibly shew, that he knows nothing of the putting on this pension—that it was prior in time to his administration—that the minister who laid it on, is dead; and then we are thrown back upon the pensioner himself, and plunged into all our former difficulties. Abuses, and gross ones, I doubt not, would appear; and to the correction of which I would readily give my hand; but, when I consider that pensions have not generally been affected by the



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revolutions of miniſtry; as I know not where ſuch inquiries would ſtop; and as an abſence of merit is a negative and looſe thing, one might be led to derange the order of families, founded on the probable continuance of their kind of income. I might hurt children; I might injure creditors. I really think it the more prudent courſe, not to follow the letter of the petitions. If we fix this mode of inquiry as a baſis, we ſhall, I fear, end, as parliament has often ended under ſimilar circumſtances. There will be great delay; much confuſion; much inequality in our proceedings. But what preſſes me moſt of all is this; that though we ſhould ſtrike off all the unmerited penſions, while the power of the crown remains unlimited, the very ſame undeſerving perſons might afterwards return to the very ſame liſt: or if they did not, other perſons meriting as little as they do, might be put upon it to an undefinable amount. This I think is the pinch of the grievance.

For theſe reaſons, Sir, I am obliged to wave this mode of proceeding as any part of my plan. In a plan of reformation, it would be one of my maxims, that when I know of an eſtabliſhment, which may be ſubſervient to uſeful purpoſes, and which, at the ſame time, from its diſcretionary nature, is liable to a very great perverſion from thoſe purpoſes, *I would limit the quantity of the power that might be ſo abuſed.* For I am ſure, that in all ſuch

caſes,

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cases, the rewards of merit will have very narrow bounds; and that partial or corrupt favour will be infinite. This principle is not arbitrary; but the limitation of the specifick quantity must be so in some measure. I therefore state 60,000*l.* leaving it open to the house to enlarge or contract the sum as they shall see, on examination, that the discretion I use is scanty or liberal. The whole amount of the pensions of all denominations, which have been laid before us, amount, for a period of seven years, to considerably more than 100,000*l.* a year. To what the other lists amount, I know not. That will be seen hereafter. But from those that do appear, a saving will accrue to the publick, at one time or other, of 40,000*l.* a year, and we had better in my opinion to let it fall in naturally, than to tear it crude and unripe from the stalk.*

There is a great deal of uneasiness among the people, upon an article which I must class under the head of pensions. I mean the *great patent offices in the exchequer*. They are in reality and sub-

* It was supposed by the lord advocate, in a subsequent debate, that Mr. Burke, because he objected to an inquiry into the pension list for the purpose of œconomy and relief of the publick, would have it withheld from the judgment of parliament for all purposes whatsoever. This learned gentleman certainly misunderstood him. His plan shews that he wished the whole list to be easily accessible; and he knows that the publick eye is of itself a great guard against abuse.



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ſtance no other than penſions, and in no other light ſhall I conſider them. They are ſinecures. They are always executed by deputy. The duty of the principal is as nothing. They differ however from the penſions on the liſt, in ſome particulars. They are held for life. I think, with the publick, that the profits of thoſe places are grown enormous; the magnitude of thoſe profits, and the nature of them, both call for reformation. The nature of their profits, which grow out of the publick diſtreſs, is itſelf invidious and grievous. But I fear that reform cannot be immediate. I find myſelf under a reſtriction. Theſe places, and others of the ſame kind, which are held for life, have been conſidered as property. They have been given as a proviſion for children; they have been the ſubject of family ſettlements; they have been the ſecurity of creditors. What the law reſpects ſhall be ſacred to me. If the barriers of law ſhould be broken down, upon ideas of convenience, even of publick convenience, we ſhall have no longer any thing certain among us. If the diſcretion of power is once let looſe upon property, we can be at no loſs to determine whoſe power, and what diſcretion it is that will prevail at laſt. It would be wiſe to attend upon the order of things; and not to attempt to outrun the ſlow, but ſmooth and even courſe of nature. There are occaſions, I admit, of publick neceſſity, ſo vaſt, ſo clear,

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clear, ſo evident, that they ſuperſede all laws. Law being only made for the benefit of the community, cannot in any one of its parts reſiſt a demand which may comprehend the total of the publick intereſt. To be ſure, no law can ſet itſelf up againſt the cauſe and reaſon of all law. But ſuch a caſe very rarely happens; and this moſt certainly is not ſuch a caſe. The mere time of the reform is by no means worth the ſacrifice of a principle of law. Individuals paſs like ſhadows; but the commonwealth is fixed and ſtable. The difference, therefore, of to-day and to-morrow, which to private people is immenſe, to the ſtate is nothing. At any rate, it is better, if poſſible, to reconcile our œconomy with our laws, than to ſet them at variance; a quarrel which in the end muſt be deſtructive to both.

My idea, therefore, is to reduce thoſe officers to fixed ſalaries, as the preſent lives and reverſions ſhall ſucceſſively fall. I mean, that the office of the great auditor (the auditor of the receipt) ſhall be reduced to 3,000*l.* a year; and the auditors of the impreſt, and the reſt of the principal officers, to fixed appointments of 1,500*l.* a year each. It will not be difficult to calculate the value of this fall of lives to the publick, when we ſhall have obtained a juſt account of the preſent income of thoſe places; and we ſhall obtain that account



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with great facility, if the preſent poſſeſſors are not alarmed with any apprehenſion of danger to their freehold office.

I know too, that it will be demanded of me, how it comes, that ſince I admit theſe offices to be no better than penſions, I choſe, after the principle of law had been ſatisfied, to retain them at all? To this, Sir, I anſwer, that conceiving it to be a fundamental part of the conſtitution of this country, and of the reaſon of ſtate in every country, that there muſt be means of rewarding publick ſervice, thoſe means will be incomplete, and indeed wholly inſufficient for that purpoſe, if there ſhould be no further reward for that ſervice, than the daily wages it receives during the pleaſure of the crown.

Whoever ſeriouſly conſiders the excellent argument of lord Somers, in the banker's caſe, will ſee he bottoms himſelf upon the very ſame maxim which I do; and one of his principal grounds of doctrine for the alienability of the domain in England,* contrary to the maxim of the law in France, he lays in the conſtitutional policy of furniſhing a permanent reward to publick ſervice; of making that reward the origin of families; and the foundation of wealth as well as of honours. It is in-

* Before the ſtatute of queen Anne, which limited the alienation of land.

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deed the only genuine unadulterated origin of nobility. It is a great principle in government; a principle at the very foundation of the whole ſtructure. The other judges who held the ſame doctrine, went beyond lord Somers with regard to the remedy, which they thought was given by law againſt the crown, upon the grant of penſions. Indeed no man knows, when he cuts off the incitements to a virtuous ambition, and the juſt rewards of publick ſervice, what infinite miſchief he may do his country, through all generations. Such ſaving to the publick may prove the worſt mode of robbing it. The crown, which has in its hands the truſt of the daily pay for national ſervice, ought to have in its hands alſo the means for the repoſe of publick labour, and the fixed ſettlement of acknowledged merit. There is a time, when the weather-beaten veſſels of the ſtate ought to come into harbour. They muſt at length have a retreat from the malice of rivals, from the perfidy of political friends, and the inconſtancy of the people. Many of the perſons, who in all times have filled the great offices of ſtate, have been younger brothers, who had originally little, if any fortune. Theſe offices do not furniſh the means of amaſſing wealth. There ought to be ſome power in the crown of granting penſions out of the reach of its own caprices. An intail of dependence is a bad reward of merit.



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I would, therefore, leave to the crown the poſſibility of conferring ſome favours, which, whilſt they are received as a reward, do not operate as corruption. When men receive obligations from the crown, through the pious hands of fathers, or of connections as venerable as the paternal, the dependences which ariſe from thence, are the obligations of gratitude, and not the fetters of ſervility. Such ties originate in virtue, and they promote it. They continue men in thoſe habitudes of friendſhip, thoſe political connections, and thoſe political principles in which they began life. They are antidotes againſt a corrupt levity, inſtead of cauſes of it. What an unſeemly ſpectacle would it afford, what a diſgrace would it be to the commonwealth that ſuffered ſuch things, to ſee the hopeful ſon of a meritorious miniſter begging his bread at the door of that treaſury, from whence his father diſpenſed the œconomy of an empire, and promoted the happineſs and glory of his country? Why ſhould he be obliged to proſtrate his honour, and to ſubmit his principles at the levee of ſome proud favourite, ſhouldered and thruſt aſide by every impudent pretender, on the very ſpot where a few days before he ſaw himſelf adored?—obliged to cringe to the author of the calamities of his houſe, and to kiſs the hands that are red with his father's blood?—No, Sir, theſe things are unfit—they are intolerable.

Sir,

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Sir, I ſhall be aſked, why I do not chooſe to deſtroy thoſe offices which are penſions, and appoint penſions under the direct title in their ſtead? I allow that in ſome caſes it leads to abuſe; to have things appointed for one purpoſe, and applied to another. I have no great objection to ſuch a change: but I do not think it quite prudent for me to propoſe it. If I ſhould take away the preſent eſtabliſhment, the burthen of proof reſts upon me, that ſo many penſions, and no more, and to ſuch an amount each, and no more, are neceſſary for the publick ſervice. This is what I can never prove; for it is a thing incapable of definition. I do not like to take away an object that I think anſwers my purpoſe, in hopes of getting it back again in a better ſhape. People will bear an old eſtabliſhment when its exceſs is corrected, who will revolt at a new one. I do not think theſe office-penſions to be more in number than ſufficient; but on that point the houſe will exerciſe its diſcretion. As to abuſe, I am convinced that very few truſts in the ordinary courſe of adminiſtration have admitted leſs abuſe than this. Efficient miniſters have been their own paymaſters. It is true. But their very partiality has operated as a kind of juſtice; and ſtill it was ſervice that was paid. When we look over this exchequer liſt, we find it filled with the deſcendants of the Walpoles, of the Pelhams, of the Townſhends; names to whom this

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this country owes its liberties; and to whom his majesty owes his crown. It was in one of these lines, that the immense and envied employment he now holds, came to a certain duke,* who is now probably sitting quietly at a very good dinner directly under us, and acting *high life below stairs*, whilst we, his masters, are filling our mouths with unsubstantial sounds, and talking of hungry economy over his head. But he is the elder branch of an ancient and decayed house, joined to, and repaired by the reward of services done by another. I respect the original title, and the first purchase of merited wealth and honour through all its descents, through all its transfers, and all its assignments. May such fountains never be dried up! May they ever flow with their original purity, and refresh and fructify the commonwealth, for ages!

Sir, I think myself bound to give you my reasons as clearly, and as fully, for stopping in the course of reformation, as for proceeding in it. My limits are the rules of law; the rules of policy; and the service of the state. This is the reason why I am not able to intermeddle with another article, which seems to be a specifick object in several of the petitions; I mean the reduction of exorbitant emoluments to efficient offices. If I

* Duke of Newcastle, whose dining-room is under the house of commons.

knew

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knew of any real efficient office, which did poſſeſs exorbitant emoluments, I ſhould be extremely deſirous of reducing them. Others may know of them. I do not. I am not poſſeſſed of an exact common meaſure between real ſervice and its reward. I am very ſure, that ſtates do ſometimes receive ſervices, which is hardly in their power to reward according to their worth. If I were to give my judgment with regard to this country, I do not think the great efficient offices of the ſtate to be overpaid. The ſervice of the publick is a thing which cannot be put to auction, and ſtruck down to thoſe who will agree to execute it the cheapeſt. When the proportion between reward and ſervice is our object, we muſt always conſider of what nature the ſervice is, and what ſort of men they are that muſt perform it. What is juſt payment for one kind of labour, and full encouragement for one kind of talents, is fraud and diſcouragement to others. Many of the great offices have much duty to do, and much expence of repreſentation to maintain. A ſecretary of ſtate, for inſtance, muſt not appear ſordid in the eyes of the miniſters of other nations; neither ought our miniſters abroad to appear contemptible in the courts where they reſide. In all offices of duty, there is, almoſt neceſſarily, a great neglect of all domeſtick affairs. A perſon in high office can rarely take a view of his family-houſe. If he ſees that the ſtate takes

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takes no detriment, the ſtate muſt ſee that his affairs ſhould take as little.

I will even go ſo far as to affirm, that if men were willing to ſerve in ſuch ſituations without ſalary, they ought not to be permitted to do it. Ordinary ſervice muſt be ſecured by the motives to ordinary integrity. I do not heſitate to ſay, that that ſtate which lays its foundation in rare and heroick virtues, will be ſure to have its ſuperſtructure in the baſeſt profligacy and corruption. An honourable and fair profit is the beſt ſecurity againſt avarice and rapacity; as in all things elſe, a lawful and regulated enjoyment is the beſt ſecurity againſt debauchery and exceſs. For as wealth is power, ſo all power will infallibly draw wealth to itſelf by ſome means or other: and when men are left no way of aſcertaining their profits but by their means of obtaining them, thoſe means will be increaſed to infinity. This is true in all the parts of adminiſtration, as well as in the whole. If any individual were to decline his appointments, it might give an unfair advantage to oſtentatious ambition over unpretending ſervice; it might breed invidious compariſons; it might tend to deſtroy whatever little unity and agreement may be found among miniſters. And after all, when an ambitious man had run down his competitors by a fallacious ſhew of diſintereſtedneſs, and fixed himſelf in power by that means, what ſecurity is there that

that he would not change his courſe, and claim as an indemnity ten times more than he has given up?

This rule, like every other, may admit its exceptions. When a great man has ſome one great object in view to be achieved in a given time, it may be abſolutely neceſſary for him to walk out of all the common roads, and if his fortune permits it, to hold himſelf out as a ſplendid example. I am told, that ſomething of this kind is now doing in a country near us. But this is for a ſhort race; the training for a heat or two, and not the proper preparation for the regular ſtages of a methodical journey. I am ſpeaking of eſtabliſhments and not of men.

It may be expected, Sir, that when I am giving my reaſons why I limit myſelf in the reduction of employments, or of their profits, I ſhould ſay ſomething of thoſe which ſeem of eminent inutility in the ſtate; I mean the number of officers who by their places are attendant on the perſon of the king. Conſidering the commonwealth merely as ſuch, and conſidering thoſe officers only as relative to the direct purpoſes of the ſtate, I admit that they are of no uſe at all. But there are many things in the conſtitution of eſtabliſhments, which appear of little value on the firſt view, which in a ſecondary and oblique manner, produce very material advantages. It was on full conſideration that I determined

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mined not to leſſen any of the offices of honour about the crown, in their number, or their emoluments. Theſe emoluments, except in one or two caſes, do not much more than anſwer the charge of attendance. Men of condition naturally love to be about a court; and women of condition love it much more. But there is in all regular attendance, ſo much of conſtraint, that if it were a mere charge, without any compenſation, you would ſoon have the court deſerted by all the nobility of the kingdom.

Sir, the moſt ſerious miſchiefs would follow from ſuch a deſertion. Kings are naturally lovers of low company. They are ſo elevated above all the reſt of mankind, that they muſt look upon all their ſubjects as on a level. They are rather apt to hate than to love their nobility, on account of the occaſional reſiſtance to their will, which will be made by their virtue, their petulance, or their pride. It muſt indeed be admitted, that many of the nobility are as perfectly willing to act the part of flatterers, tale-bearers, paraſites, pimps, and buffoons, as any of the loweſt and vileſt of mankind can poſſibly be. But they are not properly qualified for this object of their ambition. The want of a regular education, and early habits, and ſome lurking remains of their dignity, will never permit them to become a match for an Italian eunuch, a mountebank, a fidler, a player, or any regular

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gular practitioner of that tribe. The Roman emperours almoſt from the beginning, threw themſelves into ſuch hands; and the miſchief increaſed every day till the decline and final ruin of the empire. It is therefore of very great importance (provided the thing is not overdone) to contrive ſuch an eſtabliſhment as muſt, almoſt whether a prince will or not, bring into daily and hourly offices about his perſon, a great number of his firſt nobility; and it is rather an uſeful prejudice that gives them a pride in ſuch a ſervitude. Though they are not much the better for a court, a court will be much the better for them. I have therefore not attempted to reform any of the offices of honour about the king's perſon.

There are, indeed, two offices in his ſtables which are ſinecures. By the change of manners, and indeed by the nature of the thing, they muſt be ſo; I mean the ſeveral keepers of buck-hounds, ſtag-hounds, fox-hounds, and harriers. They anſwer no purpoſe of utility or of ſplendour. Theſe I propoſe to aboliſh. It is not proper that great noblemen ſhould be keepers of dogs, though they were the king's dogs. In every part of the ſcheme, I have endeavoured that no primary, and that even no ſecondary ſervice of the ſtate, ſhould ſuffer by its frugality. I mean to touch no offices but ſuch as I am perfectly ſure are either of no uſe at all, or not of any uſe in the leaſt aſſignable proportion to

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to the burthen with which they load the revenues of the kingdom, and to the influence with which they oppress the freedom of parliamentary deliberation; for which reason there are but two offices which are properly ſtate offices, that I have a deſire to reform.

The firſt of them is the new office of *third ſecretary of ſtate*, which is commonly called *ſecretary of ſtate for the colonies*.

We know that all the correſpondence of the colonies had been, until within a few years, carried on by the ſouthern ſecretary of ſtate; and that this department has not been ſhunned upon account of the weight of its duties; but on the contrary, much ſought, on account of its patronage. Indeed he muſt be poorly acquainted with the hiſtory of office, who does not know how very lightly the American functions have always leaned on the ſhoulders of the miniſterial *Atlas*, who has upheld that ſide of the ſphere. Undoubtedly, great temper and judgment was requiſite in the management of the colony politicks; but the official detail was a trifle. Since the new appointment, a train of unfortunate accidents has brought before us almoſt the whole correſpondence of this favourite ſecretary's office, ſince the firſt day of its eſtabliſhment. I will ſay nothing of its auſpicious foundation; of the quality of its correſpondence; or of the effects that have enſued from it. I ſpeak merely

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of its *quantity*; which we know would have been little or no addition to the trouble of whatever office had its hands the fulleſt. But what has been the real condition of the old office of ſecretary of ſtate? Have their velvet bags, and their red boxes, been ſo full, that nothing more could poſſibly be crammed into them?

A correſpondence of a curious nature has been lately publiſhed.* In that correſpondence, Sir, we find the opinion of a noble perſon, who is thought to be the grand manufacturer of adminiſtrations; and, therefore, the beſt judge of the quality of his work. He was of opinion, that there was but one man of diligence and induſtry in the whole adminiſtration—it was the late earl of Suffolk. The noble lord lamented very juſtly, that this ſtateſman, of ſo much mental vigour, was almoſt wholly diſabled from the exertion of it, by his bodily infirmities. Lord Suffolk, dead to the ſtate, long before he was dead to nature, at laſt paid his tribute to the common treaſury to which we muſt all be taxed. But ſo little want was found even of his intentional induſtry, that the office, vacant in reality to its duties long before, continued vacant even in nomination and appointment for a year after his death. The whole of the laborious and arduous correſpondence of this empire, reſted ſolely upon the activity and energy of Lord Weymouth.

* Letters between Dr. Addington and Sir James Wright.



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It is therefore demonſtrable, ſince one diligent man was fully equal to the duties of the two offices, that two diligent men will be equal to the duty of three. The buſineſs of the new office which I ſhall propoſe to you to ſuppreſs, is by no means too much to be returned to either of the ſecretaries which remain. If this duſt in the balance ſhould be thought too heavy, it may be divided between them both; North America (whether free or reduced) to the northern ſecretary, the Weſt Indies to the ſouthern. It is not neceſſary that I ſhould ſay more upon the inutility of this office. It is burning day-light. But before I have done, I ſhall juſt remark, that the hiſtory of this office is too recent to ſuffer us to forget, that it was made for the mere convenience of the arrangements of political intrigue, and not for the ſervice of the ſtate; that it was made, in order to give a colour to an exorbitant increaſe of the civil liſt; and in the ſame act to bring a new acceſſion to the loaded compoſt heap of corrupt influence.

There is, Sir, another office which was not long ſince cloſely connected with this of the American ſecretary; but has been lately ſeparated from it for the very ſame purpoſe for which it had been conjoined; I mean the ſole purpoſe of all the ſeparations and all the conjunctions that have been lately made—a job.—I ſpeak, Sir, of the *board of trade and plantations*. This board is a ſort of temperate

bed

bed of influence; a ſort of gently ripening hot-houſe, where eight members of parliament receive ſalaries of a thouſand a year, for a certain given time, in order to mature at a proper ſeaſon, a claim to two thouſand, granted for doing leſs, and on the credit of having toiled ſo long in that inferiour laborious department.

I have known that board, off and on, for a great number of years. Both of its pretended objects have been much the objects of my ſtudy, if I have a right to call any purſuits of mine by ſo reſpectable a name. I can aſſure the houſe, and I hope they will not think that I riſk my little credit lightly, that, without meaning to convey the leaſt reflection upon any one of its members paſt or preſent, —it is a board which, if not miſchievous, is of no uſe at all.

You will be convinced, Sir, that I am not miſtaken, if you reflect how generally it is true, that commerce, the principal object of that office, flouriſhes moſt when it is left to itſelf. Intereſt, the great guide of commerce, is not a blind one. It is very well able to find its own way; and its neceſſities are its beſt laws. But if it were poſſible, in the nature of things, that the young ſhould direct the old, and the inexperienced inſtruct the knowing; if a board in the ſtate was the beſt tutor for the counting-houſe; if the deſk ought to read lectures to the anvil, and the pen to uſurp the place



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of the ſhuttle—yet in any matter of regulation, we know that board muſt act with as little authority as ſkill. The prerogative of the crown is utterly inadequate to the object; becauſe all regulations are, in their nature, reſtrictive of ſome liberty. In the reign, indeed, of *Charles the Firſt*, the council, or committees of council, were never a moment unoccupied, with affairs of trade. But even where they had no ill intention (which was ſometimes the caſe) trade and manufacture ſuffered infinitely from their injudicious tamperings. But ſince that period, whenever regulation is wanting (for I do not deny, that ſometimes it may be wanting) parliament conſtantly ſits; and parliament alone is competent to ſuch regulation. We want no inſtructions from boards of trade, or from any other board; and God forbid we ſhould give the leaſt attention to their reports. Parliamentary inquiry is the only mode of obtaining parliamentary information. There is more real knowledge to be obtained, by attending the detail of buſineſs in the committees above ſtairs, than ever did come, or ever will come from any board in this kingdom, or from all of them together. An aſſiduous member of parliament will not be the worſe inſtructed there, for not being paid a thouſand a year for learning his leſſon. And now that I ſpeak of the committees above ſtairs, I muſt ſay, that having till lately attended them a good deal, I have obſerved

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ſerved that no deſcription of members give ſo little attendance, either to communicate, or to obtain inſtruction upon matters of commerce, as the honourable members of the grave board of trade. I really do not recollect that I have ever ſeen one of them in that ſort of buſineſs. Poſſibly ſome members may have better memories; and may call to mind ſome job that may have accidentally brought one or other of them, at one time or other, to attend a matter of commerce.

This board, Sir, has had both its original formation, and its regeneration, in a job. In a job it was conceived, and in a job its mother brought it forth. It made one among thoſe ſhewy and ſpecious impoſitions, which one of the experiment-making adminiſtrations of *Charles the Second* held out to delude the people, and to be ſubſtituted in the place of the real ſervice which they might expect from a parliament annually ſitting. It was intended, alſo to corrupt that body whenever it ſhould be permitted to ſit. It was projected in the year 1668, and it continued in a tottering and rickety childhood for about three or four years, for it died in the year 1673, a babe of as little hopes as ever ſwelled the bills of mortality in the article of convulſed or over-laid children, who have hardly ſtepped over the threſhold of life.

It was buried with little ceremony; and never more thought of, until the reign of *King William*,



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when in the ſtrange viciſſitude of neglect and vigour, of good and ill ſucceſs that attended his wars, in the year 1695, the trade was diſtreſſed beyond all example of former ſufferings, by the piracies of the French cruiſers. This ſuffering incenſed, and, as it ſhould ſeem, very juſtly incenſed, the houſe of commons. In this ferment they ſtruck, not only at the adminiſtration, but at the very conſtitution of the executive government. They attempted to form in parliament a board for the protection of trade; which, as they planned it, was to draw to itſelf a great part, if not the whole, of the functions and powers, both of the admiralty, and of the treaſury; and thus, by a parliamentary delegation of office and officers, they threatened abſolutely to ſeparate theſe departments from the whole ſyſtem of the executive government, and of courſe to veſt the moſt leading and eſſential of its attributes in this board. As the executive government was in a manner convicted of a dereliction of its functions, it was with infinite difficulty, that this blow was warded off in that ſeſſion. There was a threat to renew the ſame in the next. To prevent the effect of this manœuvre, the court oppoſed another manœuvre to it; and in the year 1696, called into life this board of trade, which had ſlept ſince 1673.

This, in a few words, is the hiſtory of the regeneration of the board of trade. It has perfectly anſwered

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anſwered its purpoſes. It was intended to quiet the minds of the people, and to compoſe the ferment that was then ſtrongly working in parliament. The courtiers were too happy to be able to ſubſtitute a board, which they knew would be uſeleſs, in the place of one that they feared would be dangerous. Thus the board of trade was reproduced in a job; and perhaps it is the only inſtance of a publick body, which has never degenerated; but to this hour preſerves all the health and vigour of its primitive inſtitution.

This board of trade and plantations has not been of any uſe to the colonies, as colonies; ſo little of uſe, that the flouriſhing ſettlements of New England, of Virginia, and of Maryland, and all our wealthy colonies in the Weſt Indies, were of a date prior to the firſt board of Charles the Second. Penſylvania and Carolina were ſettled during its dark quarter, in the interval between the extinction of the firſt, and the formation of the ſecond board. Two colonies alone owe their origin to that board. Georgia, which, till lately, has made a very ſlow progreſs; and never did make any progreſs at all, until it wholly got rid of all the regulations which the board of trade had moulded into its original conſtitution. That colony has coſt the nation very great ſums of money; whereas the colonies which have had the fortune of not being godfathered by the board of trade, never coſt the nation a ſhilling,



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except what has been ſo properly ſpent in loſing them. But the colony of Georgia, weak as it was, carried with it to the laſt hour, and carries, even in its preſent dead pallid viſage, the perfect reſemblance of its parents. It always had, and it now has, an *eſtabliſhment* paid by the publick of England, for the ſake of the influence of the crown; that colony having never been able or willing to take upon itſelf the expence of its proper government, or its own appropriated jobs.

The province of Nova Scotia was the youngeſt and the favourite child of the board. Good God! What ſums the nurſing of that ill-thriven, hard-viſaged, and ill-favoured brat, has coſt to this wretched nation! Sir, this colony has ſtood us in a ſum of not leſs than ſeven hundred thouſand pounds. To this day it has made no repayment—It does not even ſupport thoſe offices of expence, which are miſcalled its government; the whole of that job ſtill lies upon the patient, callous ſhoulders of the people of England.

Sir, I am going to ſtate a fact to you, that will ſerve to ſet in full ſunſhine the real value of formality and official ſuperintendance. There was in the province of Nova Scotia, one little neglected corner, the country of the *neutral French*, which having the good fortune to eſcape the foſtering care of both France and England, and to have been ſhut out from the protection and regulation of

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of councils of commerce, and of boards of trade, did, in ſilence, without notice, and without aſſiſtance, increaſe to a conſiderable degree. But it ſeems our nation had more ſkill and ability in deſtroying, than in ſettling a colony. In the laſt war we did, in my opinion, moſt inhumanly, and upon pretences that in the eye of an honeſt man are not worth a farthing, root out this poor innocent deſerving people, whom our utter inability to govern, or to reconcile, gave us no ſort of right to extirpate. Whatever the merits of that extirpation might have been, it was on the footſteps of a neglected people, it was on the fund of unconſtrained poverty, it was on the acquiſitions of unregulated induſtry, that any thing which deſerves the name of a colony in that province, has been formed. It has been formed by overflowings from the exuberant population of New England, and by emigration from other parts of Nova Scotia of fugitives from the protection of the board of trade.

But if all of theſe things were not more than ſufficient to prove to you the inutility of that expenſive eſtabliſhment, I will deſire you to recollect, Sir, that thoſe who may be very ready to defend it, are very cautious how they employ it; cautious how they employ it even in appearance and pretence. They are afraid they ſhould loſe the

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the benefit of its influence in parliament, if they ſeemed to keep it up for any other purpoſe. If ever there were commercial points of great weight, and moſt cloſely connected with our dependences, they are thoſe which have been agitated and decided in parliament ſince I came into it. Which of the innumerable regulations ſince made had their origin or their improvement in the board of trade? Did any of the ſeveral Eaſt India bills which have been ſucceſſively produced ſince 1767, originate there? Did any one dream of referring them, or any part of them thither? Was any body ſo ridiculous as even to think of it? If ever there was an occaſion on which the board was fit to be conſulted, it was with regard to the acts that were preludes to the American war, or attendant on its commencement: thoſe acts were full of commercial regulations, ſuch as they were—the intercourſe bill; the prohibitory bill; the fiſhery bill. If the board was not concerned in ſuch things, in what particular was it thought fit that it ſhould be concerned? In the courſe of all theſe bills through the houſe, I obſerved the members of that board to be remarkably cautious of intermeddling. They underſtood decorum better; they know that matters of trade and plantations are no buſineſs of theirs.

There were two very recent occaſions, which, if

if the idea of any uſe for the board had not been extinguiſhed by preſcription, appeared loudly to call for their interference.

When commiſſioners were ſent to pay his majeſty's and our dutiful reſpects to the congreſs of the United States, a part of their powers under the commiſſion were, it ſeems, of a commercial nature. They were authorized in the moſt ample and undefined manner, to form a commercial treaty with America on the ſpot. This was no trivial object. As the formation of ſuch a treaty would neceſſarily have been no leſs than the breaking up of our whole commercial ſyſtem, and the giving it an entire new form; one would imagine, that the board of trade would have ſat day and night, to model propoſitions, which, on our ſide, might ſerve as a baſis to that treaty. No ſuch thing. Their learned leiſure was not in the leaſt interrupted, though one of the members of the board was a commiſſioner, and might, in mere compliment to his office, have been ſuppoſed to make a ſhew of deliberation on the ſubject. But he knew that his colleagues would have thought he laughed in their faces, had he attempted to bring any thing the moſt diſtantly relating to commerce or colonies before *them*. A noble perſon, engaged in the ſame commiſſion, and ſent to learn his commercial rudiments in New York, (then under the operation of an act for the univerſal prohibition of trade) was

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was ſoon after put at the head of that board. This contempt from the preſent miniſters of all the pretended functions of that board, and their manner of breathing into its very ſoul, of inſpiring it with its animating and preſiding principle, puts an end to all diſpute concerning their opinion of the clay it was made of. But I will give them heaped meaſure.

It was but the other day, that the noble lord in the blue ribbon carried up to the houſe of peers two acts, altering I think much for the better, but altering in a great degree, our whole commercial ſyſtem. Thoſe acts, I mean, for giving a free trade to Ireland in woollens and in all things elſe, with independent nations, and giving them an equal trade to our own colonies. Here too the novelty of this great, but arduous and critical improvement of ſyſtem, would make you conceive that the anxious ſolicitude of the noble lord in the blue ribbon, would have wholly deſtroyed the plan of ſummer recreation of that board, by references to examine, compare, and digeſt matters for parliament—You would imagine, that Iriſh commiſſioners of cuſtoms and Engliſh commiſſioners of cuſtoms, and commiſſioners of exciſe, that merchants and manufacturers of every denomination, had daily crowded their outer rooms. *Nil horum.* The perpetual virtual adjournment, and the unbroken ſitting vacation of that board, was no more

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more disturbed by the Irish than by the plantation commerce, or any other commerce. The same matter made a large part of the business which occupied the house for two sessions before; and as our ministers were not then mellowed by the mild, emollient, and engaging blandishments of our dear sister, into all the tenderness of unqualified surrender, the bounds and limits of a restrained benefit naturally required much detailed management and positive regulation. But neither the qualified propositions which were received, nor those other qualified propositions which were rejected by ministers, were the least concern of theirs, or were they ever thought of in the business.

It is therefore, Sir, on the opinion of parliament, on the opinion of the ministers, and even on their own opinion of their inutility, that I shall propose to you to *suppress the board of trade and plantations*; and to recommit all its business to the council from whence it was very improvidently taken; and which business, (whatever it might be) was much better done, and without any expence; and indeed where in effect it may all come at last. Almost all that deserves the name of business there, is the reference of the plantation acts, to the opinion of gentlemen of the law. But all this may be done, as the Irish business of the same nature has always been

been done, by the council, and with a reference to the attorney and ſolicitor general.

There are ſome regulations in the houſehold, relative to the officers of the yeomen of the guards, and the officers and band of gentlemen penſioners, which I ſhall likewiſe ſubmit to your conſideration, for the purpoſe of regulating eſtabliſhments, which at preſent are much abuſed.

I have now finiſhed all, that for the preſent I ſhall trouble you with on the *plan of reduction*. I mean next to propoſe to you the *plan of arrangement*, by which I mean to appropriate and fix the civil liſt money to its ſeveral ſervices according to their nature; for I am thoroughly ſenſible, that if a diſcretion, wholly arbitrary, can be exerciſed over the civil liſt revenue, although the moſt effectual methods may be taken to prevent the inferiour departments from exceeding their bounds, the plan of reformation will ſtill be left very imperfect. It will not, in my opinion, be ſafe to permit an entirely arbitrary diſcretion even in the firſt lord of the treaſury himſelf; it will not be ſafe to leave with him a power of diverting the publick money from its proper objects, of paying it in an irregular courſe, or of inverting perhaps the order of time, dictated by the proportion of value, which ought to regulate his application of payment to ſervice.

I am

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I am ſenſible too, that the very operation of a plan of œconomy which tends to exonerate the civil liſt of expenſive eſtabliſhments, may in ſome ſort defeat the capital end we have in view, the independence of parliament; and that in removing the publick and oſtenſible means of influence, we may increaſe the fund of private corruption. I have thought of ſome methods to prevent an abuſe of ſurplus caſh under diſcretionary application; I mean the heads of *ſecret ſervice*, *ſpecial ſervice*, *various payments*, and the like; which I hope, will anſwer, and which in due time I ſhall lay before you. Where I am unable to limit the quantity of the ſums to be applied, by reaſon of the uncertain quantity of the ſervice, I endeavour to confine it to its *line*; to ſecure an indefinite application to the definite ſervice to which it belongs; not to ſtop the progreſs of expence in its line, but to confine it to that line in which it profeſſes to move.

But that part of my plan, Sir, upon which I principally reſt, that, on which I rely for the purpoſe of binding up, and ſecuring the whole, is to eſtabliſh a fixed and invariable order in all its payments, which it ſhall not be permitted to the firſt lord of the treaſury, upon any pretence whatſoever, to depart from. I therefore divide the civil liſt payment into *nine* claſſes, putting each claſs forward according to the importance or juſtice of the demand, and to the inability of the perſons entitled to

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to enforce their pretenſions; that is, to put thoſe firſt who have the moſt efficient offices, or claim the juſteſt debts; and, at the ſame time, from the character of that deſcription of men, from the retiredneſs, or the remoteneſs of their ſituation, or from their want of weight and power to enforce their pretenſions, or from their being entirely ſubject to the power of a miniſter, without any reciprocal power of aweing, ought to be the moſt conſidered, and are the moſt likely to be neglected; all theſe I place in the higheſt claſſes: I place in the loweſt thoſe whoſe functions are of the leaſt importance, but whoſe perſons or rank are often of the greateſt power and influence.

In the firſt claſs I place the *judges*, as of the firſt importance. It is the publick juſtice that holds the community together; the eaſe, therefore, and independence of the judges, ought to ſuperſede all other conſiderations, and they ought to be the very laſt to feel the neceſſities of the ſtate, or to be obliged either to court or bully a miniſter for their right: they ought to be as *weak ſolicitors on their own demands*, as ſtrenuous aſſertors of the rights and liberties of others. The judges are, or ought to be, of a *reſerved* and retired character, and wholly unconnected with the political world.

In the ſecond claſs I place the foreign miniſters. The judges are the links of our connections with one another; the foreign miniſters are the links of our connection with other nations. They are not

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not upon the ſpot to demand payment, and are therefore the moſt likely to be, as in fact they have ſometimes been, entirely neglected, to the great diſgrace, and perhaps the great detriment of the nation.

In the third claſs, I would bring all the tradeſmen who ſupply the crown by contract, or otherwiſe.

In the fourth claſs, I place all the domeſtick ſervants of the king, and all perſons in efficient offices, whoſe ſalaries do not exceed two hundred pounds a year.

In the fifth, upon account of honour, which ought to give place to nothing but charity and rigid juſtice, I would place the penſions and allowances of his majeſty's royal family, comprehending of courſe the queen, together with the ſtated allowance of the privy purſe.

In the ſixth claſs, I place thoſe efficient offices of duty, whoſe ſalaries may exceed the ſum of two hundred pounds a year.

In the ſeventh claſs, that mixed maſs the whole penſion liſt.

In the eighth, the offices of honour about the king.

In the ninth, and the laſt of all, the ſalaries and penſions of the firſt lord of the treaſury himſelf, the chancellor of the exchequer, and the other commiſſioners of the treaſury.



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If by any poſſible miſmanagement of that part of the revenue which is left at diſcretion, or by any other mode of prodigality, caſh ſhould be deficient for the payment of the loweſt claſſes, I propoſe, that the amount of thoſe ſalaries where the deficiency may happen to fall, ſhall not be carried as debt to the account of the ſucceeding year, but that it ſhall be entirely lapſed, ſunk, and loſt; ſo that government will be enabled to ſtart in the race of every new year, wholly unloaded, freſh in wind and in vigour. Hereafter, no civil liſt debt can ever come upon the publick. And thoſe who do not conſider this as ſaving, becauſe it is not a certain ſum, do not ground their calculations of the future on their experience of the paſt.

I know of no mode of preſerving the effectual execution of any duty, but to make it the direct intereſt of the executive officer that it ſhall be faithfully performed. Aſſuming, then, that the preſent vaſt allowance to the civil liſt is perfectly adequate to all its purpoſes, if there ſhould be any failure, it muſt be from the miſmanagement or neglect of the firſt commiſſioner of the treaſury; ſince, upon the propoſed plan, there can be no expence of any conſequence, which he is not himſelf previouſly to authorize and finally to control. It is therefore juſt, as well as politick, that the loſs ſhould attach upon the delinquency.

If the failure from the delinquency ſhould be very

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very conſiderable, it will fall on the claſs directly above the firſt lord of the treaſury, as well as upon himſelf and his board. It will fall, as it ought to fall, upon offices of no primary importance in the ſtate; but then it will fall upon perſons, whom it will be a matter of no ſlight importance for a miniſter to provoke—it will fall upon perſons of the firſt rank and conſequence in the kingdom; upon thoſe who are neareſt to the king, and frequently have a more interiour credit with him than the miniſter himſelf. It will fall upon maſters of the horſe, upon lord chamberlains, upon lord ſtewards, upon grooms of the ſtole, and lords of the bedchamber. The houſehold troops form an army, who will be ready to mutiny for want of pay, and whoſe mutiny will be *really* dreadful to a commander in chief. A rebellion of the thirteen lords of the bedchamber would be far more terrible to a miniſter, and would probably affect his power more to the quick, than a revolt of thirteen colonies. What an uproar ſuch an event would create at court! What *petitions* and *committees*, and *aſſociations*, would it not produce! Bleſs me! what a clattering of white ſticks and yellow ſticks would be about his head—what a ſtorm of gold keys would fly about the ears of the miniſter—what a ſhower of Georges, and Thiſtles, and medals, and collars of S. S. would aſſail him at his firſt entrance into the antichamber, after an inſolvent Chriſtmas



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quarter. A tumult which could not be appeaſed by all the harmony of the new year's ode. Rebellion it is certain there would be; and rebellion may not now indeed be ſo critical an event to thoſe who engage in it, ſince its price is ſo correctly aſcertained at juſt a thouſand pound.

Sir, this claſſing, in my opinion, is a ſerious and ſolid ſecurity for the performance of a miniſter's duty. Lord Coke ſays, that the ſtaff was put into the treaſurer's hand to enable him to ſupport himſelf when there was no money in the exchequer, and to beat away importunate ſolicitors. The method, which I propoſe, would hinder him from the neceſſity of ſuch a broken ſtaff to lean on, or ſuch a miſerable weapon for repulſing the demands of worthleſs ſuitors, who, the noble lord in the blue ribbon knows, will bear many hard blows on the head, and many other indignities, before they are driven from the treaſury. In this plan, he is furniſhed with an anſwer to all their importunity; an anſwer far more concluſive, than if he had knocked them down with his ſtaff—"Sir, (or my Lord), you are calling for my own "ſalary—Sir, you are calling for the appointments "of my colleagues who ſit about me in office,— "Sir, you are going to excite a mutiny at court "againſt me—you are going to eſtrange his ma- "jeſty's confidence from me, through the cham- "berlain, or the maſter of the horſe, or the groom "of the ſtole."

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As things now ſtand, every man, in proportion to his conſequence at court, tends to add to the expence of the civil liſt, by all manner of jobs, if not for himſelf, yet for his dependents. When the new plan is eſtabliſhed, thoſe who are now ſuitors for jobs, will become the moſt ſtrenuous oppoſers of them. They will have a common intereſt with the miniſter in publick œconomy. Every claſs, as it ſtands low, will become ſecurity for the payment of the preceding claſs; and thus the perſons whoſe inſignificant ſervices defraud thoſe that are uſeful, would then become intereſted in their payment. Then the powerful, inſtead of oppreſſing would be obliged to ſupport the weak; and idleneſs would become concerned in the reward of induſtry The whole fabrick of the civil œconomy would become compact and connected in all its parts; it would be formed into a well-organized body, where every member contributes to the ſupport of the whole; and where even the lazy ſtomach ſecures the vigour of the active arm.

This plan, I really flatter myſelf, is laid, not in official formality, nor in airy ſpeculation, but in real life, and in human nature, in what "comes "home (as Bacon ſays) to the buſineſs and boſoms "of men." You have now, Sir, before you, the whole of my ſcheme, as far as I have digeſted it into a form, that might be in any reſpect worthy



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of your conſideration.—I intend to lay it before you in five bills.* The plan conſiſts, indeed, of many parts, but they ſtand upon a few plain principles. It is a plan which takes nothing from the civil liſt without diſcharging it of a burthen equal to the ſum carried to the publick ſervice. It weakens no one function neceſſary to government; but on the contrary, by appropriating ſupply to ſervice, it gives it greater vigour. It provides the means of order and foreſight to a miniſter of finance, which may always keep all the objects of his office, and their ſtate, condition, and relations, diſtinctly before him. It brings forward accounts without hurrying and diſtreſſing the accountants; whilſt it provides for publick convenience, it regards private rights. It extinguiſhes ſecret corruption almoſt to the poſſibility of its exiſtence. It deſtroys direct and viſible influence equal to the offices of at leaſt fifty members of parliament. Laſtly, it prevents the proviſion for his majeſty's children, from being diverted to the political purpoſes of his miniſter.

Theſe are the points, on which I rely for the merit of the plan: I purſue œconomy in a ſecondary view, and only as it is connected with theſe great objects. I am perſuaded, that even for ſupply this ſcheme will be far from unfruitful, if it be executed to the extent I propoſe it. I think

* Titles of the bills read.

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it will give to the publick, at its periods, two or three hundred thouſand pounds a year; if not, it will give them a ſyſtem of œconomy, which is itſelf a great revenue. It gives me no little pride and ſatisfaction, to find that the principles of my proceedings are, in many reſpects, the very ſame with thoſe which are now purſued in the plans of the French miniſter of finance. I am ſure, that I lay before you a ſcheme eaſy and practicable in all its parts. I know it is common at once to applaud and to reject all attempts of this nature. I know it is common for men to ſay, that ſuch and ſuch things are perfectly right—very deſirable; but that, unfortunately, they are not practicable. Oh! no, Sir, no. Thoſe things which are not practicable, are not deſirable. There is nothing in the world really beneficial, that does not lie within the reach of an informed underſtanding, and a well-directed purſuit. There is nothing that God has judged good for us, that he has not given us the means to accompliſh, both in the natural and the moral world. If we cry, like children for the moon, like children we muſt cry on.

We muſt follow the nature of our affairs, and conform ourſelves to our ſituation. If we do, our objects are plain and compaſſable. Why ſhould we reſolve to do nothing, becauſe what I propoſe to you may not be the exact demand of the petition; when we are far from reſolved to comply



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even with what evidently is ſo? Does this ſort of chicanery become us? The people are the maſters. They have only to expreſs their wants at large and in groſs. We are the expert artiſts; we are the ſkilful workmen, to ſhape their deſires into perfect form, and to fit the utenſil to the uſe. They are the ſufferers, they tell the ſymptoms of the complaint; but we know the exact ſeat of the diſeaſe, and how to apply the remedy according to the rules of art. How ſhocking would it be to ſee us pervert our ſkill, into a ſiniſter and ſervile dexterity, for the purpoſe of evading our duty, and defrauding our employers, who are our natural lords, of the object of their juſt expectations. I think the whole not only practicable, but practicable in a very ſhort time. If we are in earneſt about it, and if we exert that induſtry, and thoſe talents in forwarding the work, which I am afraid may be exerted in impeding it—I engage, that the whole may be put in complete execution within a year. For my own part, I have very little to recommend me for this or for any taſk, but a kind of earneſt and anxious perſeverance of mind, which, with all its good and all its evil effects, is moulded into my conſtitution. I faithfully engage to the houſe, if they chooſe to appoint me to any part in the execution of this work, which (when they have made it theirs by the improvements of their wiſdom, will be worthy of the able

aſſiſtance

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assistance they may give me) that by night and by day, in town, or in country, at the desk, or in the forest, I will, without regard to convenience, ease, or pleasure, devote myself to their service, not expecting or admitting any reward whatsoever. I owe to this country my labour, which is my all; and I owe to it ten times more industry, if ten times more I could exert. After all I shall be an unprofitable servant.

At the same time, if I am able, and if I shall be permitted, I will lend an humble helping hand to any other good work which is going on. I have not, Sir, the frantick presumption to suppose, that this plan contains in it the whole of what the publick has a right to expect, in the great work of reformation they call for. Indeed it falls infinitely short of it. It falls short, even of my own ideas. I have some thoughts not yet fully ripened, relative to a reform in the customs and excise, as well as in some other branches of financial administration. There are other things too, which form essential parts in a great plan for the purpose of restoring the independence of parliament. The contractors bill of last year it is fit to revive; and I rejoice that it is in better hands than mine. The bill for suspending the votes of customhouse officers, brought into parliament several years ago, by one of our worthiest and wisest members,*

* W. Dowdeswell, Esq. chancellor of the exchequer, 1765.

(would

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(would to God we could along with the plan revive the perſon who deſigned it.) But a man of very real integrity, honour, and ability will be found to take his place, and to carry his idea into full execution. You all ſee how neceſſary it is to review our military expences for ſome years paſt, and, if poſſible, to bind up and cloſe that bleeding artery of profuſion: but that buſineſs alſo, I have reaſon to hope, will be undertaken by abilities that are fully adequate to it. Something muſt be devised (if poſſible) to check the ruinous expence of elections.

Sir, all or moſt of theſe things muſt be done. Every one muſt take his part.

If we ſhould be able by dexterity or power, or intrigue, to diſappoint the expectations of our conſtituents, what will it avail us? We ſhall never be ſtrong or artful enough to parry, or to put by the irreſiſtible demands of our ſituation. That ſituation calls upon us, and upon our conſtituents too, with a voice which *will* be heard. I am ſure no man is more zealouſly attached than I am to the privileges of this houſe, particularly in regard to the excluſive management of money. The lords have no right to the diſpoſition, in any ſenſe, of the publick purſe; but they have gone further in *ſelf-denial than our utmoſt jealouſy could have required. A power of examining ac-

* Rejection of lord Shelburne's motion in the houſe of lords.

counts,

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counts, to cenſure, correct, and puniſh, we never, that I know of, have thought of denying to the houſe of lords. It is ſomething more than a century ſince we voted that body uſeleſs; they have now voted themſelves ſo. The whole hope of reformation is at length caſt upon *us*; and let us not deceive the nation, which does us the honour to hope every thing from our virtue. If *all* the nation are not equally forward to preſs this duty upon us, yet be aſſured, that they will equally expect we ſhould perform it. The reſpectful ſilence of thoſe who wait upon your pleaſure, ought to be as powerful with you, as the call of thoſe who require your ſervice as their right. Some, without doors, affect to feel hurt for your dignity, becauſe they ſuppoſe that menaces are held out to you. Juſtify their good opinion, by ſhewing that no menaces are neceſſary to ſtimulate you to your duty.—But, Sir, whilſt we may ſympathiſe with them, in one point, who ſympathiſe with us in another, we ought to attend no leſs to thoſe who approach us like men, and who, in the guiſe of petitioners, ſpeak to us in the tone of a concealed authority. It is not wiſe to force them to ſpeak out more plainly, what they plainly mean.—But the petitioners are violent. Be it ſo. Thoſe who are leaſt anxious about your conduct, are not thoſe that love you moſt. Moderate affection, and ſatiated enjoyment, are cold and reſpectful; but

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but an ardent and injured paſſion is tempered up with wrath, and grief, and ſhame, and conſcious worth, and the maddening ſenſe of violated right. A jealous love lights his torch from the firebrands of the furies.—They who call upon you to belong *wholly* to the people, are thoſe who wiſh you to return to your *proper* home; to the ſphere of your duty, to the poſt of your honour, to the manſion-houſe of all genuine, ſerene, and ſolid ſatisfaction. We have furniſhed to the people of England (indeed we have) ſome real cauſe of jealouſy. Let us leave that ſort of company which, if it does not deſtroy our innocence, pollutes our honour: let us free ourſelves at once from every thing that can increaſe their ſuſpicions, and inflame their juſt reſentment: let us caſt away from us, with a generous ſcorn, all the love-tokens and ſymbols that we have been vain and light enough to accept;—all the bracelets, and ſnuff-boxes, and miniature pictures, and hair devices, and all the other adulterous trinkets that are the pledges of our alienation, and the monuments of our ſhame. Let us return to our legitimate home, and all jars and all quarrels will be loſt in embraces. Let the commons in parliament aſſembled, be one and the ſame thing with the commons at large. The diſtinctions that are made to ſeparate us, are unnatural and wicked contrivances. Let us identify, let us incorporate ourſelves with the people. Let us cut

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cut all the cables and ſnap the chains which tie us to an unfaithful ſhore, and enter the friendly harbour, that ſhoots far out into the main its moles and jettees to receive us.—"War with the world, "and peace with our conſtituents." Be this our motto, and our principle. Then indeed, we ſhall be truly great. Reſpecting ourſelves we ſhall be reſpected by the world. At preſent all is troubled and cloudy, and diſtracted, and full of anger and turbulence, both abroad and at home; but the air may be cleared by this ſtorm, and light and fertility may follow it. Let us give a faithful pledge to the people that we honour, indeed, the crown; but that we *belong* to them; that we are their auxiliaries, and not their taſk-maſters; the fellow-labourers in the ſame vineyard, not lording over their rights, but helpers of their joy: that to tax them is a grievance to ourſelves, but to cut off from our enjoyments to forward theirs, is the higheſt gratification we are capable of receiving. I feel with comfort, that we are all warmed with theſe ſentiments, and while we are thus warm, I wiſh we may go directly and with a cheerful heart to this ſalutary work.

Sir, I move for leave to bring in a bill, "For "the better regulation of his majeſty's civil "eſtabliſhments, and of certain publick of-"fices; for the limitation of penſions, and the "ſuppreſſion of ſundry uſeleſs, expenſive, and "inconvenient

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" inconvenient places; and for applying the " monies ſaved thereby to the publick ſer- " vice*."

Lord North ſtated, that there was a difference between this bill for regulating the eſtabliſhments, and ſome of the others, as they affected the ancient patrimony of the crown; and therefore wiſhed them to be poſtponed, till the king's conſent could be obtained. This diſtinction was ſtrongly controverted; but when it was inſiſted on as a point of decorum *only*, it was agreed to poſtpone them to another day. Accordingly, on the Monday following, viz. February 14, leave was given, on the motion of Mr. Burke, without oppoſition, to bring in

1ſt, " A bill for the ſale of the foreſt and other " crown lands, rents, and hereditaments, with cer- " tain exceptions; *and for applying the produce* " *thereof to the publick ſervice*; and for ſecuring, aſ- " certaining, and ſatisfying, *tenant-rights*, and com- " mon and other rights."

2d, " A bill for the more perfectly uniting to " the crown the principality of Wales, and the " county palatine of Cheſter, and for the more " commodious adminiſtration of juſtice within the " ſame; as alſo for aboliſhing certain offices now " appertaining thereto; *for quieting dormant claims*, " *aſcertaining and ſecuring tenant-rights*; and for the

* The motion was ſeconded by Mr. Fox.

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" ſale of all the foreſt lands, and other lands, tene-
" ments, and hereditaments, held by his majeſty
" in right of the ſaid principality, or county pala-
" tine of Cheſter, *and for applying the produce there-*
" *of to the publick ſervice.*"

3d, " A bill for uniting to the crown the duchy
" and county palatine of Lancaſter; for the ſup-
" preſſion of unneceſſary offices now belonging
" thereto; for the *aſcertainment and ſecurity of te-*
" *nant and other rights*; and for the ſale of all rents,
" lands, tenements, and hereditaments, and fo-
" reſts, within the ſaid duchy and county pala-
" tine, or either of them; *and for applying the pro-*
" *duce thereof to the publick ſervice.*"—*And it was ordered that* Mr. Burke, Mr. Fox, Lord John Cavendiſh, Sir George Savile, Colonel Barrè, Mr. Thomas Townſhend, Mr. Byng, Mr. Dunning, Sir Joſeph Mawbey, Mr. Recorder of London, Sir Robert Clayton, Mr. Frederick Montagu, the Earl of Upper Oſſory, Sir William Guiſe, and Mr. Gilbert, *do prepare and bring in the ſame.*

At the ſame time, Mr. Burke moved for leave to bring in—4th, " A bill for uniting the duchy
" of Cornwall to the crown; for the ſuppreſſion
" of certain unneceſſary offices now belonging
" thereto; for the *aſcertainment and ſecurity of te-*
" *nant and other rights*; and for the ſale of certain
" rents, lands, and tenements, within or belonging
" to

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" to the ſaid duchy; *and for applying the produce* " *thereof to the publick ſervice.*"

But ſome objections being made by the ſurveyor general of the duchy concerning the rights of the prince of Wales, now in his minority, and Lord North remaining perfectly ſilent, Mr. Burke, at length, though he ſtrongly contended againſt the principle of the objection, conſented to withdraw this laſt motion for the *preſent*, to be renewed upon an early occaſion.

MR.

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# MR. BURKE'S SPEECH

AT THE

GUILDHALL, IN BRISTOL,

PREVIOUS

TO THE LATE ELECTION IN THAT CITY,

UPON CERTAIN POINTS RELATIVE TO HIS

*PARLIAMENTARY CONDUCT.*

1780.



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# SPEECH, &c.

MR. MAYOR, AND GENTLEMEN,

I AM extremely pleaſed at the appearance of this large and reſpectable meeting. The ſteps I may be obliged to take will want the ſanction of a conſiderable authority; and in explaining any thing which may appear doubtful in my publick conduct, I muſt naturally deſire a very full audience.

I have been backward to begin my canvaſs.—The diſſolution of the parliament was uncertain; and it did not become me, by an unſeaſonable importunity, to appear diffident of the fact of my ſix years endeavours to pleaſe you. I had ſerved the city of Briſtol honourably; and the city of Briſtol had no reaſon to think, that the means of honourable ſervice to the publick, were become indifferent to me.

I found on my arrival here, that three gentlemen had been long in eager purſuit of an object which but two of us can obtain. I found, that they had all met with encouragement. A conteſted election in ſuch a city as this, is no light thing. I paused on the brink of the precipice. Theſe three gentlemen, by various merits, and on various titles,



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I made no doubt were worthy of your favour. I ſhall never attempt to raiſe myſelf by depreciating the merits of my competitors. In the complexity and confuſion of theſe croſs purſuits, I wiſhed to take the authentick publick ſenſe of my friends upon a buſineſs of ſo much delicacy. I wiſhed to take your opinion along with me; that if I ſhould give up the conteſt at the very beginning, my ſurrender of my poſt may not ſeem the effect of inconſtancy, or timidity, or anger, or diſguſt, or indolence, or any other temper unbecoming a man who has engaged in the publick ſervice. If, on the contrary, I ſhould undertake the election, and fail of ſucceſs, I was full as anxious, that it ſhould be manifeſt to the whole world, that the peace of the city had not been broken by my raſhneſs, preſumption, or fond conceit of my own merit.

I am not come, by a falſe and counterfeit ſhew of deference to your judgment, to ſeduce it in my favour. I aſk it ſeriouſly and unaffectedly. If you wiſh that I ſhould retire, I ſhall not conſider that advice as a cenſure upon my conduct, or an alteration in your ſentiments; but as a rational ſubmiſſion to the circumſtances of affairs. If, on the contrary, you ſhould think it proper for me to proceed on my canvaſs, if you will riſk the trouble on your part, I will riſk it on mine. My pretenſions are ſuch as you cannot be aſhamed of, whether they ſucceed or fail.

If

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If you call upon me, I ſhall ſolicit the favour of the city upon manly ground. I come before you with the plain confidence of an honeſt ſervant in the equity of a candid and diſcerning maſter. I come to claim your approbation, not to amuſe you with vain apologies, or with profeſſions ſtill more vain and ſenſeleſs. I have lived too long to be ſerved by apologies, or to ſtand in need of them. The part I have acted has been in open day; and to hold out to a conduct, which ſtands in that clear and ſteady light for all its good and all its evil, to hold out to that conduct the paltry winking tapers of excuſes and promiſes—I never will do it.—They may obſcure it with their ſmoke; but they never can illumine ſunſhine by ſuch a flame as theirs.

I am ſenſible that no endeavours have been left untried to injure me in your opinion. But the uſe of character is to be a ſhield againſt calumny. I could wiſh, undoubtedly (if idle wiſhes were not the moſt idle of all things) to make every part of my conduct agreeable to every one of my conſtituents. But in ſo great a city, and ſo greatly divided as this, it is weak to expect it.

In ſuch a diſcordancy of ſentiments, it is better to look to the nature of things than to the humours of men. The very attempt towards pleaſing every body, diſcovers a temper always flaſhy, and often falſe and inſincere. Therefore, as I have



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proceeded ſtrait onward in my conduct, ſo I will proceed in my account of thoſe parts of it which have been moſt excepted to. But I muſt firſt beg leave juſt to hint to you, that we may ſuffer very great detriment by being open to every talker. It is not to be imagined, how much of ſervice is loſt from ſpirits full of activity, and full of energy, who are preſſing, who are ruſhing forward, to great and capital objects, when you oblige them to be continually looking back. Whilſt they are defending one ſervice, they defraud you of an hundred. Applaud us when we run; conſole us when we fall; cheer us when we recover; but let us paſs on—for God's ſake, let us paſs on.

Do you think, gentlemen, that every publick act in the ſix years ſince I ſtood in this place before you—that all the arduous things which have been done in this eventful period, which has crowded into a few years ſpace the revolutions of an age, can be opened to you on their fair grounds in half an hour's converſation?

But it is no reaſon, becauſe there is a bad mode of inquiry, that there ſhould be no examination at all. Moſt certainly it is our duty to examine; it is our intereſt too.—But it muſt be with diſcretion; with an attention to all the circumſtances, and to all the motives; like ſound judges, and not like cavilling pettyfoggers and quibbling pleaders, prying into flaws and hunting for exceptions.—

Look,

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Look, gentlemen, to the *whole tenour* of your member's conduct. Try whether his ambition or his avarice have juſtled him out of the ſtrait line of duty; or whether that grand foe of the offices of active life, that maſter-vice in men of buſineſs, a degenerate and inglorious ſloth, has made him flag and languiſh in his courſe? This is the object of our inquiry. If our member's conduct can bear this touch, mark it for ſterling. He may have fallen into errours; he muſt have faults; but our errour is greater, and our fault is radically ruinous to ourſelves, if we do not bear, if we do not even applaud, the whole compound and mixed maſs of ſuch a character. Not to act thus is folly; I had almoſt ſaid it is impiety. He cenſures God, who quarrels with the imperfections of man.

Gentlemen, we muſt not be peeviſh with thoſe who ſerve the people. For none will ſerve us whilſt there is a court to ſerve, but thoſe who are of a nice and jealous honour. They who think every thing, in compariſon of that honour, to be duſt and aſhes, will not bear to have it ſoiled and impaired by thoſe, for whoſe ſake they make a thouſand ſacrifices to preſerve it immaculate and whole. We ſhall either drive ſuch men from the publick ſtage, or we ſhall ſend them to the court for protection: where, if they muſt ſacrifice their reputation, they will at leaſt ſecure their intereſt. Depend upon it, that the lovers of freedom will



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be free. None will violate their conſcience to pleaſe us, in order afterwards to diſcharge that conſcience, which they have violated, by doing us faithful and affectionate ſervice. If we degrade and deprave their minds by ſervility, it will be abſurd to expect, that they who are creeping and abject towards us, will ever be bold and incorruptible aſſertors of our freedom, againſt the moſt ſeducing and the moſt formidable of all powers. No! human nature is not ſo formed; nor ſhall we improve the faculties or better the morals of publick men, by our poſſeſſion of the moſt infallible receipt in the world for making cheats and hypocrites.

Let me ſay with plainneſs, I who am no longer in a publick character, that if by a fair, by an indulgent, by a gentlemanly behaviour to our repreſentatives, we do not give confidence to their minds, and a liberal ſcope to their underſtandings; if we do not permit our members to act upon a *very* enlarged view of things; we ſhall at length infallibly degrade our national repreſentation into a confuſed and ſcuffling buſtle of local agency. When the popular member is narrowed in his ideas, and rendered timid in his proceedings, the ſervice of the crown will be the ſole nurſery of ſtateſmen. Among the frolicks of the court, it may at length take that of attending to its buſineſs. Then the monopoly of mental power will be added

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to the power of all other kinds it poſſeſſes. On the ſide of the people there will be nothing but impotence: for ignorance is impotence; narrowneſs of mind is impotence; timidity is itſelf impotence, and makes all other qualities that go along with it, impotent and uſeleſs.

At preſent it is the plan of the court to make its ſervants inſignificant. If the people ſhould fall into the ſame humour, and ſhould chooſe their ſervants on the ſame principles of mere obſequiouſneſs, and flexibility, and total vacancy or indifference of opinion in all publick matters, then no part of the ſtate will be found; and it will be in vain to think of ſaving it.

I thought it very expedient at this time to give you this candid counſel; and with this counſel I would willingly cloſe, if the matters which at various times have been objected to me in this city concerned only myſelf, and my own election. Theſe charges, I think, are four in number;—my neglect of a due attention to my conſtituents, the not paying more frequent viſits here;—my conduct on the affairs of the firſt Iriſh trade acts;—my opinion and mode of proceeding on lord Beauchamp's debtors bills;—and my votes on the late affairs of the Roman Catholicks. All of theſe (except perhaps the firſt) relate to matters of very conſiderable publick concern; and it is not leſt you ſhould cenſure me improperly, but leſt you ſhould form

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form improper opinions on matters of ſome moment to you, that I trouble you at all upon the ſubject. My conduct is of ſmall importance.

With regard to the firſt charge, my friends have ſpoken to me of it in the ſtyle of amicable expoſtulation; not ſo much blaming the thing, as lamenting the effects.—Others, leſs partial to me, were leſs kind in aſſigning the motives. I admit, there is a decorum and propriety in a member of parliament's paying a reſpectful court to his conſtituents. If I were conſcious to myſelf that pleaſure or diſſipation, or low unworthy occupations, had detained me from perſonal attendance on you, I would readily admit my fault, and quietly ſubmit to the penalty. But, gentlemen, I live at an hundred miles diſtance from Briſtol; and at the end of a ſeſſion I come to my own houſe, fatigued in body and in mind, to a little repoſe, and to a very little attention to my family and my private concerns. A viſit to Briſtol is always a ſort of canvaſs; elſe it will do more harm than good. To paſs from the toils of a ſeſſion to the toils of a canvaſs, is the furtheſt thing in the world from repoſe. I could hardly ſerve you *as I have done*, and court you too. Moſt of you have heard, that I do not very remarkably ſpare myſelf in *publick* buſineſs; and in the *private* buſineſs of my conſtituents I have done very near as much as thoſe who have nothing elſe to do. My canvaſs of you was

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not on the change, nor in the county meetings, nor in the clubs of this city: It was in the houſe of commons; it was at the cuſtom-houſe; it was at the council; it was at the treaſury; it was at the admiralty. I canvaſſed you through your affairs, and not your perſons. I was not only your repreſentative as a body; I was the agent, the ſolicitor of individuals; I ran about wherever your affairs could call me; and in acting for you I often appeared rather as a ſhip-broker, than as a member of parliament. There was nothing too laborious, or too low for me to undertake. The meanneſs of the buſineſs was raiſed by the dignity of the object. If ſome leſſer matters have ſlipped through my fingers, it was becauſe I filled my hands too full; and in my eagerneſs to ſerve you, took in more than any hands could graſp. Several gentlemen ſtand round me who are my willing witneſſes; and there are others who, if they were here, would be ſtill better; becauſe they would be unwilling witneſſes to the ſame truth. It was in the middle of a ſummer reſidence in London, and in the middle of a negotiation at the admiralty for your trade, that I was called to Briſtol; and this late viſit, at this late day, has been poſſibly in prejudice to your affairs.

Since I have touched upon this matter, let me ſay, gentlemen, that if I had a diſpoſition, or a right to complain, I have ſome cauſe of complaint on my

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my ſide. With a petition of this city in my hand, paſſed through the corporation without a diſſenting voice, a petition in uniſon with almoſt the whole voice of the kingdom, (with whoſe formal thanks I was covered over) while I laboured on no leſs than five bills for a publick reform, and fought againſt the oppoſition of great abilities, and of the greateſt power, every clauſe, and every word of the largeſt of thoſe bills, almoſt to the very laſt day of a very long ſeſſion; all this time a canvaſs in Briſtol was as calmly carried on as if I were dead. I was conſidered as a man wholly out of the queſtion. Whilſt I watched, and faſted, and ſweated in the houſe of commons—by the moſt eaſy and ordinary arts of election, by dinners and viſits, by "How do you do's," and "My worthy "friends," I was to be quietly moved out of my ſeat—and promiſes were made, and engagements entered into, without any exception or reſerve, as if my laborious zeal in my duty had been a regular abdication of my truſt.

To open my whole heart to you on this ſubject, I do confeſs, however, that there were other times beſides the two years in which I did viſit you, when I was not wholly without leiſure for repeating that mark of my reſpect. But I could not bring my mind to ſee you. You remember, that in the beginning of this American war (that æra of calamity, diſgrace and downfall, an æra which no

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no feeling mind will ever mention without a tear for England) you were greatly divided; and a very ſtrong body, if not the ſtrongeſt, oppoſed itſelf to the madneſs which every art and every power were employed to render popular, in order that the errours of the rulers might be loſt in the general blindneſs of the nation. This oppoſition continued until after our great, but moſt unfortunate victory at Long Iſland. Then all the mounds and banks of our conſtancy were borne down at once; and the phrenſy of the American war broke in upon us like a deluge. This victory, which ſeemed to put an immediate end to all difficulties, perfected us in that ſpirit of domination, which our unparalleled proſperity had but too long nurtured. We had been ſo very powerful, and ſo very proſperous, that even the humbleſt of us were degraded into the vices and follies of kings. We loſt all meaſure between means and ends; and our headlong deſires became our politicks and our morals. All men who wiſhed for peace, or retained any ſentiments of moderation, were overborne or ſilenced; and this city was led by every artifice (and probably with the more management, becauſe I was one of your members) to diſtinguiſh itſelf by its zeal for that fatal cauſe. In this temper of yours and of my mind, I ſhould have ſooner fled to the extremities of the earth, than have ſhewn myſelf here. I, who ſaw in every American victory

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victory (for you have had a long ſeries of theſe misfortunes) the germ and ſeed of the naval power of France and Spain, which all our heat and warmth againſt America was only hatching into life,—I ſhould not have been a welcome viſitant with the brow and the language of ſuch feelings. When afterwards, the other face of your calamity was turned upon you, and ſhewed itſelf in defeat and diſtreſs, I ſhunned you full as much. I felt ſorely this variety in our wretchedneſs; and I did not wiſh to have the leaſt appearance of inſulting you with that ſhew of ſuperiority, which, though it may not be aſſumed, is generally ſuſpected in a time of calamity, from thoſe whoſe previous warnings have been deſpiſed. I could not bear to ſhew you a repreſentative whoſe face did not reflect that of his conſtituents; a face that could not joy in your joys, and ſorrow in your ſorrows. But time at length has made us all of one opinion; and we have all opened our eyes on the true nature of the American war, to the true nature of all its ſucceſſes and all its failures.

In that publick ſtorm too I had my private feelings. I had ſeen blown down and proſtrate on the ground ſeveral of thoſe houſes to whom I was chiefly indebted for the honour this city has done me. I confeſs, that whilſt the wounds of thoſe I loved were yet green, I could not bear to ſhew myſelf in pride and triumph in that place into which

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which their partiality had brought me, and to appear at feaſts and rejoicings, in the midſt of the grief and calamity of my warm friends, my zealous ſupporters, my generous benefactors. This is a true, unvarniſhed, undiſguiſed ſtate of the affair. You will judge of it.

This is the only one of the charges in which I am perſonally concerned. As to the other matters objected againſt me, which in their turn I ſhall mention to you, remember once more I do not mean to extenuate or excuſe. Why ſhould I, when the things charged are among thoſe upon which I found all my reputation? What would be left to me, if I myſelf was the man, who ſoftened, and blended, and diluted, and weakened, all the diſtinguiſhing colours of my life, ſo as to leave nothing diſtinct and determinate in my whole conduct?

It has been ſaid, and it is the ſecond charge, that in the queſtions of the Iriſh trade, I did not conſult the intereſt of my conſtituents, or, to ſpeak out ſtrongly, that I rather acted as a native of Ireland, than as an Engliſh member of parliament.

I certainly have very warm good wiſhes for the place of my birth. But the ſphere of my duties is my true country. It was, as a man attached to your intereſts, and zealous for the conſervation of your power and dignity, that I acted on that occaſion,

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sion, and on all occasions. You were involved in the American war. A new world of polity was opened, to which it was necessary we should conform, whether we would or not; and my only thought was how to conform to our situation in such a manner as to unite to this kingdom, in prosperity and in affection, whatever remained of the empire. I was true to my old, standing, invariable principle, that all things, which came from Great Britain, should issue as a gift of her bounty and beneficence, rather than as claims recovered against a struggling litigant; or at least, that if your beneficence obtained no credit in your concessions, yet that they should appear the salutary provisions of your wisdom and foresight; not as things wrung from you with your blood, by the cruel gripe of a rigid necessity. The first concessions, by being (much against my will) mangled and stripped of the parts which were necessary to make out their just correspondence and connection in trade, were of no use. The next year a feeble attempt was made to bring the thing into better shape. This attempt (countenanced by the minister) on the very first appearance of some popular uneasiness, was, after a considerable progress through the house, thrown out by *him*.

What was the consequence? The whole kingdom of Ireland was instantly in a flame. Threatened by foreigners, and, as they thought, insulted by

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by England, they resolved at once to resist the power of France, and to cast off yours. As for us, we were able neither to protect nor to restrain them. Forty thousand men were raised and disciplined without commission from the crown. Two illegal armies were seen with banners displayed at the same time and in the same country. No executive magistrate, no judicature, in Ireland, would acknowledge the legality of the army which bore the king's commission; and no law, or appearance of law, authorized the army commissioned by itself. In this unexampled state of things, which the least errour, the least trespass on the right or left, would have hurried down the precipice into an abyss of blood and confusion, the people of Ireland demand a freedom of trade with arms in their hands. They interdict all commerce between the two nations. They deny all new supply in the house of commons, although in time of war. They stint the trust of the old revenue, given for two years to all the king's predecessors, to six months. The British parliament, in a former session, frightened into a limited concession by the menaces of Ireland, frightened out of it by the menaces of England, were now frightened back again, and made an universal surrender of all that had been thought the peculiar, reserved, uncommunicable rights of England;—the exclusive commerce of America, of Africa, of the West In-



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dies—all the enumerations of the acts of navigation—all the manufactures—iron, glass, even the last pledge of jealousy and pride, the interest hid in the secret of our hearts, the inveterate prejudice moulded into the constitution of our frame, even the sacred fleece itself, all went together. No reserve; no exception; no debate; no discussion. A sudden light broke in upon us all. It broke in, not through well-contrived and well-disposed windows, but through flaws and breaches; through the yawning chasms of our ruin. We were taught wisdom by humiliation. No town in England presumed to have a prejudice; or dared to mutter a petition. What was worse, the whole parliament of England, which retained authority for nothing but surrenders, was despoiled of every shadow of its superintendence. It was, without any qualification, denied in theory, as it had been trampled upon in practice. This scene of shame and disgrace has, in a manner whilst I am speaking, ended by the perpetual establishment of a military power in the dominions of this crown, without consent of the British legislature,* contrary to the policy of the constitution, contrary to the declaration of right: and by this your liberties are swept away along with your supreme authority—and both, linked together from the be-

* Irish perpetual mutiny act.

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ginning, have, I am afraid, both together periſhed, for ever.

What! gentlemen, was I not to foreſee, or foreſeeing, was I not to endeavour to ſave you from all theſe multiplied miſchiefs and diſgraces? Would the little, ſilly, canvaſs prattle of obeying inſtructions, and having no opinions but yours, and ſuch idle ſenſeleſs tales, which amuſe the vacant ears of unthinking men, have ſaved you from "the pelting of that pitileſs ſtorm," to which the looſe improvidence, the cowardly raſhneſs of thoſe who dare not look danger in the face, ſo as to provide againſt it in time, and therefore throw themſelves headlong into the midſt of it, have expoſed this degraded nation, beat down and proſtrate on the earth, unſheltered, unarmed, unreſiſting? Was I an Iriſhman on that day, that I boldly withſtood our pride? or on the day that I hung down my head, and wept in ſhame and ſilence over the humiliation of Great Britain? I became unpopular in England for the one, and in Ireland for the other. What then? What obligation lay on me to be popular? I was bound to ſerve both kingdoms. To be pleaſed with my ſervice, was their affair, not mine.

I was an Iriſhman in the Iriſh buſineſs, juſt as much as I was an American, when on the ſame principles, I wiſhed you to concede to America, at a time when ſhe prayed conceſſion at our feet.



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Juſt as much was I an American, when I wiſhed parliament to offer terms in victory, and not to wait the well choſen hour of defeat, for making good by weakneſs, and by ſupplication, a claim of prerogative, pre-eminence, and authority.

Inſtead of requiring it from me, as a point of duty, to kindle with your paſſions, had you all been as cool as I was, you would have been ſaved diſgraces and diſtreſſes that are unutterable. Do you remember our commiſſion? We ſent out a ſolemn embaſſy acroſs the Atlantick ocean, to lay the crown, the peerage, the commons of Great Britain, at the feet of the American congreſs. That our diſgrace might want no ſort of brightening and burniſhing; obſerve who they were that compoſed this famous embaſſy. My lord Carliſle is among the firſt ranks of our nobility. He is the identical man who but two years before had been put forward, at the opening of a ſeſſion in the houſe of lords, as the mover of a haughty and rigorous addreſs againſt America. He was put in the front of the embaſſy of ſubmiſſion. Mr. Eden was taken from the office of lord Suffolk, to whom he was then under ſecretary of ſtate; from the office of that lord Suffolk, who but a few weeks before, in his place in parliament, did not deign to inquire where a congreſs of vagrants was to be found. This lord Suffolk ſent Mr. Eden to find theſe vagrants, without knowing where this king's generals

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generals were to be found, who were joined in the ſame commiſſion of ſupplicating thoſe whom they were ſent to ſubdue. They enter the capital of America only to abandon it; and theſe aſſertors and repreſentatives of the dignity of England, at the tail of a flying army, let fly their Parthian ſhafts of memorials and remonſtrances at random behind them. Their promiſes and their offers, their flatteries and their menaces, were all deſpiſed; and we were ſaved the diſgrace of their formal reception, only becauſe the congreſs ſcorned to receive them; whilſt the ſtate-houſe of independent Philadelphia opened her doors to the publick entry of the ambaſſador of France. From war and blood we went to ſubmiſſion; and from ſubmiſſion plunged back again to war and blood; to deſolate and be deſolated, without meaſure, hope, or end. I am a Royaliſt, I bluſhed for this degradation of the crown. I am a Whig, I bluſhed for the diſhonour of parliament. I am a true Engliſhman, I felt to the quick for the diſgrace of England. I am a man, I felt for the melancholy reverſe of human affairs, in the fall of the firſt power in the world.

To read what was approaching in Ireland, in the black and bloody characters of the American war, was a painful, but it was a neceſſary part of my publick duty. For, gentlemen, it is not your fond deſires or mine that can alter the nature of



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things; by contending againſt which what have we got, or ſhall ever get, but defeat and ſhame? I did not obey your inſtructions: No. I conformed to the inſtructions of truth and nature, and maintained your intereſt, againſt your opinions, with a conſtancy that became me. A repreſentative worthy of you, ought to be a perſon of ſtability. I am to look, indeed, to your opinions; but to ſuch opinions as you and I *muſt* have five years hence. I was not to look to the flaſh of the day. I knew that you choſe me, in my place, along with others, to be a pillar of the ſtate, and not a weathercock on the top of the edifice, exalted for my levity and verſatility, and of no uſe but to indicate the ſhiftings of every faſhionable gale. Would to God, the value of my ſentiments on Ireland and on America had been at this day a ſubject of doubt and diſcuſſion! No matter what my ſufferings had been, ſo that this kingdom had kept the authority I wiſhed it to maintain, by a grave foreſight, and by an equitable temperance in the uſe of its power.

The next article of charge on my publick conduct, and that which I find rather the moſt prevalent of all, is, lord Beauchamp's bill. I mean his bill of laſt ſeſſion, for reforming the law-proceſs concerning impriſonment. It is ſaid, to aggravate the offence, that I treated the petition of this city with contempt even in preſenting it to the houſe, and expreſſed myſelf in terms of marked diſreſpect.

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diſreſpect. Had this latter part of the charge been true, no merits on the ſide of the queſtion which I took, could poſſibly excuſe me. But I am incapable of treating this city with diſreſpect. Very fortunately, at this minute (if my bad eyeſight does not deceive me) the worthy *gentleman deputed on this buſineſs ſtands directly before me. To him I appeal, whether I did not, though it militated with my oldeſt and my moſt recent publick opinions, deliver the petition with a ſtrong, and more than uſual recommendation to the conſideration of the houſe, on account of the character and conſequence of thoſe who ſigned it. I believe the worthy gentleman will tell you, that the very day I received it, I applied to the ſolicitor, now the attorney general, to give it an immediate conſideration; and he moſt obligingly and inſtantly conſented to employ a great deal of his very valuable time to write an explanation of the bill. I attended the committee with all poſſible care and diligence, in order that every objection of yours might meet with a ſolution; or produce an alteration. I intreated your learned recorder (always ready in buſineſs in which you take a concern) to attend. But what will you ſay to thoſe who blame me for ſupporting lord Beauchamp's bill, as a diſreſpectful treatment of your petition, when you hear, that out of reſpect to you, I myſelf was

* Mr. Williams.



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the cauſe of the loſs of that very bill? for the noble lord who brought it in, and who, I muſt ſay, has much merit for this and ſome other meaſures, at my requeſt conſented to put it off for a week, which the ſpeaker's illneſs lengthened to a fortnight; and then the frantick tumult about popery drove that and every rational buſineſs from the houſe. So that if I choſe to make a defence of myſelf, on the little principles of a culprit, pleading in his exculpation, I might not only ſecure my acquittal, but make merit with the oppoſers of the bill. But I ſhall do no ſuch thing. The truth is, that I did occaſion the loſs of the bill, and by a delay cauſed by my reſpect to you. But ſuch an event was never in my contemplation. And I am ſo far from taking credit for the defeat of that meaſure, that I cannot ſufficiently lament my misfortune, if but one man, who ought to be at large, has paſſed a year in priſon by my means. I am a debtor to the debtors. I confeſs judgment. I owe what, if ever it be in my power, I ſhall moſt certainly pay,—ample atonement and uſurious amends to liberty and humanity for my unhappy lapſe. For, gentlemen, lord Beauchamp's bill was a law of juſtice and policy, as far as it went; I ſay as far as it went, for its fault was its being, in the remedial part, miſerably defective.

There are two capital faults in our law with relation to civil debts. One is, that every man is

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preſumed ſolvent. A preſumption, in innumerable caſes, directly againſt truth. Therefore the debtor is ordered, on a ſuppoſition of ability and fraud, to be coerced his liberty until he makes payment. By this means, in all caſes of civil inſolvency, without a pardon from his creditor, he is to be impriſoned for life:—and thus a miſerable miſtaken invention of artificial ſcience, operates to change a civil into a criminal judgment, and to ſcourge misfortune or indiſcretion with a puniſhment which the law does not inflict on the greateſt crimes.

The next fault is, that the inflicting of that puniſhment is not on the opinion of an equal and publick judge; but is referred to the arbitrary diſcretion of a private, nay intereſted, and irritated, individual. He, who formally is, and ſubſtantially ought to be, the judge, is in reality no more than miniſterial, a mere executive inſtrument of a private man, who is at once judge and party. Every idea of judicial order is ſubverted by this procedure. If the inſolvency be no crime, why is it puniſhed with arbitrary impriſonment? If it be a crime, why is it delivered into private hands to pardon without diſcretion, or to puniſh without mercy and without meaſure?

To theſe faults, groſs and cruel faults in our law, the excellent principle of lord Beauchamp's bill applied ſome ſort of remedy. I know that credit

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credit muſt be preſerved; but equity muſt be preſerved too; and it is impoſſible that any thing ſhould be neceſſary to commerce, which is inconſiſtent with juſtice. The principle of credit was not weakened by that bill. God forbid! The enforcement of that credit was only put into the ſame publick judicial hands on which we depend for our lives, and all that makes life dear to us. But, indeed, this buſineſs was taken up too warmly both here and elſewhere. The bill was extremely miſtaken. It was ſuppoſed to enact what it never enacted; and complaints were made of clauſes in it as novelties, which exiſted before the noble lord that brought in the bill was born. There was a fallacy that ran through the whole of the objections. The gentlemen who oppoſed the bill, always argued, as if the option lay between that bill and the ancient law.—But this is a grand miſtake. For practically, the option is between, not that bill and the old law, but between that bill and thoſe occaſional laws, called acts of grace. For the operation of the old law is ſo ſavage, and ſo inconvenient to ſociety, that for a long time paſt, once in every parliament, and lately twice, the legiſlature has been obliged to make a general arbitrary jail-delivery, and at once to ſet open, by its ſovereign authority, all the priſons in England.

Gentlemen, I never reliſhed acts of grace; nor ever

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ever ſubmitted to them but from deſpair of better. They are a diſhonourable invention, by which, not from humanity, not from policy; but merely becauſe we have not room enough to hold theſe victims of the abſurdity of our laws, we turn looſe upon the publick three or four thouſand naked wretches, corrupted by the habits, debaſed by the ignominy, of a priſon. If the creditor had a right to thoſe carcaſſes as a natural ſecurity for his property, I am ſure we have no right to deprive him of that ſecurity. But if the few pounds of fleſh were not neceſſary to his ſecurity, we had not a right to detain the unfortunate debtor, without any benefit at all to the perſon who confined him.—Take it as you will, we commit injuſtice. Now lord Beauchamp's bill intended to do deliberately, and with great caution and circumſpection, upon each ſeveral caſe, and with all attention to the juſt claimant, what acts of grace do in a much greater meaſure, and with very little care, caution, or deliberation.

I ſuſpect that here too, if we contrive to oppoſe this bill, we ſhall be found in a ſtruggle againſt the nature of things. For as we grow enlightened, the publick will not bear, for any length of time, to pay for the maintenance of whole armies of priſoners, nor, at their own expence, ſubmit to keep jails as a ſort of garriſons, merely to fortify the abſurd principle of making men judges in their own cauſe.

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cauſe. For credit has little or no concern in this cruelty. I ſpeak in a commercial aſſembly. You know that credit is given, becauſe capital *muſt* be employed; that men calculate the chances of inſolvency; and they either withhold the credit, or make the debtor pay the riſk in the price. The counting-houſe has no alliance with the jail. Holland underſtands trade as well as we, and ſhe has done much more than this obnoxious bill intended to do. There was not, when Mr. Howard viſited Holland, more than one priſoner for debt in the great city of Rotterdam. Although lord Beauchamp's act (which was previous to this bill, and intended to feel the way for it) has already preſerved liberty to thouſands; and though it is not three years ſince the laſt act of grace paſſed, yet by Mr. Howard's laſt account, there were near three thouſand again in jail. I cannot name this gentleman without remarking, that his labours and writings have done much to open the eyes and hearts of mankind. He has viſited all Europe,—not to ſurvey the ſumptuouſneſs of palaces, or the ſtatelineſs of temples; not to make accurate meaſurements of the remains of ancient grandeur, nor to form a ſcale of the curioſity of modern art; not to collect medals, or collate manuſcripts:—but to dive into the depths of dungeons; to plunge into the infection of hoſpitals; to ſurvey the manſions of ſorrow and pain; to take the gage and dimenſions

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ſions of miſery, depreſſion, and contempt; to remember the forgotten, to attend to the neglected, to viſit the forſaken, and to compare and collate the diſtreſſes of all men in all countries. His plan is original; and it is as full of genius as it is of humanity. It was a voyage of diſcovery; a circumnavigation of charity. Already the benefit of his labour is felt more or leſs in every country: I hope he will anticipate his final reward, by ſeeing all its effects fully realized in his own. He will receive, not by retail but in groſs, the reward of thoſe who viſit the priſoner; and he has ſo foreſtalled and monopolized this branch of charity, that there will be, I truſt, little room to merit by ſuch acts of benevolence hereafter.

Nothing now remains to trouble you with, but the fourth charge againſt me—the buſineſs of the Roman Catholicks. It is a buſineſs cloſely connected with the reſt. They are all on one and the ſame principle. My little ſcheme of conduct, ſuch as it is, is all arranged. I could do nothing but what I have done on this ſubject, without confounding the whole train of my ideas, and diſturbing the whole order of my life. Gentlemen, I ought to apologize to you, for ſeeming to think any thing at all neceſſary to be ſaid upon this matter. The calumny is fitter to be ſcrawled with the midnight chalk of incendiaries, with "No popery," on walls and doors of devoted houſes, than to be mentioned

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in any civilized company. I had heard, that the ſpirit of diſcontent on that ſubject was very prevalent here. With pleaſure I find that I have been groſsly miſinformed. If it exiſts at all in this city, the laws have cruſhed its exertions, and our morals have ſhamed its appearance in day-light. I have purſued this ſpirit wherever I could trace it; but it ſtill fled from me. It was a ghoſt which all had heard of, but none had ſeen. None would acknowledge that he thought the publick proceeding with regard to our Catholick diſſenters to be blameable; but ſeveral were ſorry it had made an ill impreſſion upon others, and that my intereſt was hurt by my ſhare in the buſineſs. I find with ſatisfaction and pride, that not above four or five in this city (and I dare ſay theſe miſled by ſome groſs miſrepreſentation) have ſigned that ſymbol of deluſion and bond of ſedition, that libel on the national religion and Engliſh character, the Proteſtant Aſſociation. It is, therefore, gentlemen, not by way of cure, but of prevention, and leſt the arts of wicked men may prevail over the integrity of any one amongſt us, that I think it neceſſary to open to you the merits of this tranſaction pretty much at large; and I beg your patience upon it: for, although the reaſonings that have been uſed to depreciate the act are of little force, and though the authority of the men concerned in this ill deſign is not very impoſing; yet the

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the audaciouſneſs of theſe conſpirators againſt the national honour, and the extenſive wickedneſs of their attempts, have raiſed perſons of little importance to a degree of evil eminence, and imparted a ſort of ſiniſter dignity to proceedings that had their origin in only the meaneſt and blindeſt malice.

In explaining to you the proceedings of parliament which have been complained of, I will ſtate to you,—firſt, the thing that was done;—next, the perſons who did it;—and laſtly, the grounds and reaſons upon which the legiſlature proceeded in this deliberate act of publick juſtice and publick prudence.

Gentlemen, the condition of our nature is ſuch, that we buy our bleſſings at a price. The Reformation, one of the greateſt periods of human improvement, was a time of trouble and confuſion. The vaſt ſtructures of ſuperſtition and tyranny, which had been for ages in rearing, and which was combined with the intereſt of the great and of the many; which was moulded into the laws, the manners, and civil inſtitutions of nations, and blended with the frame and policy of ſtates; could not be brought to the ground without a fearful ſtruggle; nor could it fall without a violent conculſion of itſelf and all about it. When this great revolution was attempted in a more regular mode by government, it was oppoſed by plots and ſedi-

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tions of the people; when by popular efforts, it was repreſſed as rebellion by the hand of power; and bloody executions (often bloodily returned) marked the whole of its progreſs through all its ſtages. The affairs of religion, which are no longer heard of in the tumult of our preſent contentions, made a principal ingredient in the wars and politicks of that time; the enthuſiaſm of religion threw a gloom over the politicks; and political intereſts poiſoned and perverted the ſpirit of religion upon all ſides. The Proteſtant religion in that violent ſtruggle, infected, as the Popiſh had been before, by worldly intereſt and worldly paſſions, became a perſecutor in its turn, ſometimes of the new ſects, which carried their own principles further than it was convenient to the original reformers; and always of the body from whom they parted; and this perſecuting ſpirit aroſe, not only from the bitterneſs of retaliation, but from the mercileſs policy of fear.

It was long before the ſpirit of true piety and true wiſdom, involved in the principles of the Reformation, could be depurated from the dregs and feculence of the contention with which it was carried through. However, until this be done, the Reformation is not complete; and thoſe who think themſelves good Proteſtants, from their animoſity to others, are in that reſpect no Proteſtants at all. It was at firſt thought neceſſary, perhaps,

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to oppoſe to Popery another Popery, to get the better of it. Whatever was the cauſe, laws were made in many countries, and in this kingdom in particular, againſt Papiſts, which are as bloody as any of thoſe which had been enacted by the popiſh princes and ſtates; and where thoſe laws were not bloody, in my opinion, they were worſe; as they were ſlow, cruel outrages on our nature, and kept men alive only to inſult in their perſons every one of the rights and feelings of humanity. I paſs thoſe ſtatutes, becauſe I would ſpare your pious ears the repetition of ſuch ſhocking things; and I come to that particular law, the repeal of which has produced ſo many unnatural and unexpected conſequences.

A ſtatute was fabricated in the year 1699, by which the ſaying maſs (a church-ſervice in the Latin tongue, not exactly the ſame as our liturgy, but very near it, and containing no offence whatſoever againſt the laws, or againſt good morals) was forged into a crime puniſhable with perpetual impriſonment. The teaching ſchool, an uſeful and virtuous occupation, even the teaching in a private family, was in every Catholick ſubjected to the ſame unproportioned puniſhment. Your induſtry, and the bread of your children, was taxed for a pecuniary reward to ſtimulate avarice to do what nature refuſed, to inform and proſecute on this law. Every Roman Catholick was under the



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ſame act, to forfeit his eſtate to his neareſt Proteſtant relation, until, through a profeſſion of what he did not believe, he redeemed by his hypocriſy, what the law had transferred to the kinſman as the recompence of his profligacy. When thus turned out of doors from his paternal eſtate, he was diſabled from acquiring any other by any induſtry, donation or charity; but was rendered a foreigner in his native land, only becauſe he retained the religion, along with the property, handed down to him from thoſe who had been the old inhabitants of that land before him.

Does any one who hears me, approve this ſcheme of things, or think there is common juſtice, common ſenſe, or common honeſty in any part of it? If any does, let him ſay it, and I am ready to diſcuſs the point with temper and candour. But inſtead of approving, I perceive a virtuous indignation beginning to riſe in your minds on the mere cold ſtating of the ſtatute.

But what will you feel, when you know from hiſtory how this ſtatute paſſed, and what were the motives, and what the mode of making it? A party in this nation, enemies to the ſyſtem of the revolution, were in oppoſition to the government of king William. They knew that our glorious deliverer was an enemy to all perſecution. They knew that he came to free us from ſlavery and popery, out of a country, where a third of the people are

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are contented Catholicks under a Proteſtant government. He came with a part of his army compoſed of thoſe very Catholicks, to overſet the power of a popiſh prince. Such is the effect of a tolerating ſpirit: and ſo much is liberty ſerved in every way, and by all perſons, by a manly adherence to its own principles. Whilſt freedom is true to itſelf, every thing becomes ſubject to it; and its very adverſaries are an inſtrument in its hands.

The party I ſpeak of (like ſome amongſt us who would diſparage the beſt friends of their country) reſolved to make the king either violate his principles of toleration, or incur the odium of protecting Papiſts. They therefore brought in this bill, and made it purpoſely wicked and abſurd that it might be rejected. The then court-party, diſcovering their game, turned the tables on them, and returned their bill to them ſtuffed with ſtill greater abſurdities, that its loſs might lie upon its original authors. They, finding their own ball thrown back to them, kicked it back again to their adverſaries. And thus this act, loaded with the double injuſtice of two parties, neither of whom intended to paſs, what they hoped the other would be perſuaded to reject, went through the legiſlature, contrary to the real wiſh of all parts of it, and of all the parties that compoſed it. In this manner theſe inſolent and profligate factions, as if they were playing with balls and counters, made a ſport of



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the fortunes and the liberties of their fellow-creatures. Other acts of perſecution have been acts of malice. This was a ſubverſion of juſtice from wantonneſs and petulance. Look into the hiſtory of biſhop Burnet. He is a witneſs without exception.

The effects of the act have been as miſchievous, as its origin was ludicrous and ſhameful. From that time every perſon of that communion, lay and eccleſiaſtick, has been obliged to fly from the face of day. The clergy, concealed in garrets of private houſes, or obliged to take a ſhelter (hardly ſafe to themſelves, but infinitely dangerous to their country) under the privileges of foreign miniſters, officiated as their ſervants, and under their protection. The whole body of the Catholicks, condemned to beggary and to ignorance in their native land, have been obliged to learn the principles of letters, at the hazard of all their other principles, from the charity of your enemies. They have been taxed to their ruin at the pleaſure of neceſſitous and profligate relations, and according to the meaſure of their neceſſity and profligacy. Examples of this are many and affecting. Some of them are known by a friend who ſtands near me in this hall. It is but ſix or ſeven years ſince a clergyman of the name of Malony, a man of morals, neither guilty nor accuſed of any thing noxious to the ſtate, was condemned to perpetual impriſonment

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impriſonment for exerciſing the functions of his religion; and after lying in jail two or three years, was relieved by the mercy of government from perpetual impriſonment, on condition of perpetual baniſhment. A brother of the earl of Shrewſbury, a Talbot, a name reſpectable in this country, whilſt its glory is any part of its concern, was hauled to the bar of the Old Bailey, among common felons, and only eſcaped the ſame doom, either by ſome errour in the proceſs, or that the wretch who brought him there could not correctly deſcribe his perſon; I now forget which.—In ſhort, the perſecution would never have relented for a moment, if the judges ſuperſeding (though with an ambiguous example) the ſtrict rule of their artificial duty by the higher obligation of their conſcience, did not conſtantly throw every difficulty in the way of ſuch informers. But ſo ineffectual is the power of legal evaſion againſt legal iniquity, that it was but the other day, that a lady of condition, beyond the middle of life, was on the point of being ſtripped of her whole fortune by a near relation, to whom ſhe had been a friend and benefactor: and ſhe muſt have been totally ruined; without a power of redreſs or mitigation from the courts of law, had not the legiſlature itſelf ruſhed in, and by a ſpecial act of parliament reſcued her from the injuſtice of its own ſtatutes. One of the acts authorizing ſuch things was that



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which we in part repealed, knowing what our duty was; and doing that duty as men of honour and virtue, as good Proteſtants, and as good citizens. Let him ſtand forth that diſapproves what we have done!

Gentlemen, bad laws are the worſt ſort of tyranny. In ſuch a country as this they are of all bad things the worſt, worſe by far than any where elſe; and they derive a particular malignity even from the wiſdom and ſoundneſs of the reſt of our inſtitutions. For very obvious reaſons you cannot truſt the crown with a diſpenſing power over any of your laws. However, a government, be it as bad as it may, will in the exerciſe of a diſcretionary power, diſcriminate times and perſons; and will not ordinarily purſue any man, when its own ſafety is not concerned. A mercenary informer knows no diſtinction. Under ſuch a ſyſtem, the obnoxious people are ſlaves, not only to the government, but they live at the mercy of every individual; they are at once the ſlaves of the whole community, and of every part of it; and the worſt and moſt unmerciful men are thoſe on whoſe goodneſs they moſt depend.

In this ſituation men not only ſhrink from the frowns of a ſtern magiſtrate; but they are obliged to fly from their very ſpecies. The ſeeds of deſtruction are ſown in civil intercourſe, in ſocial habitudes. The blood of wholeſome kindred is infected.

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infected. Their tables and beds are ſurrounded with ſnares. All the means given by Providence to make life ſafe and comfortable, are perverted into inſtruments of terrour and torment. This ſpecies of univerſal ſubſerviency, that makes the very ſervant who waits behind your chair, the arbiter of your life and fortune, has ſuch a tendency to degrade and abaſe mankind, and to deprive them of that aſſured and liberal ſtate of mind, which alone can make us what we ought to be, that I vow to God I would ſooner bring myſelf to put a man to immediate death for opinions I diſliked, and ſo to get rid of the man and his opinions at once, than to fret him with a feveriſh being, tainted with the jail-diſtemper of a contagious ſervitude to keep him above ground, an animated maſs of putrefaction, corrupted himſelf, and corrupting all about him.

The act repealed was of this direct tendency; and it was made in the manner which I have related to you. I will now tell you by whom the bill of repeal was brought into parliament. I find it has been induſtriouſly given out in this city (from kindneſs to me unqueſtionably) that I was the mover or the ſeconder. The fact is, I did not once open my lips on the ſubject during the whole progreſs of the bill. I do not ſay this as diſclaiming my ſhare in that meaſure. Very far from it. I inform you of this fact, leſt I ſhould ſeem to ar-



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rogate to myself the merits which belong to others. To have been the man chosen out to redeem our fellow-citizens from slavery; to purify our laws from absurdity and injustice; and to cleanse our religion from the blot and stain of persecution, would be an honour and happiness to which my wishes would undoubtedly aspire; but to which nothing but my wishes could have possibly entitled me. That great work was in hands in every respect far better qualified than mine. The mover of the bill was Sir George Savile.

When an act of great and signal humanity was to be done, and done with all the weight and authority that belonged to it, the world could cast its eyes upon none but him. I hope that few things which have a tendency to bless or to adorn life, have wholly escaped my observation in my passage through it. I have sought the acquaintance of that gentleman, and have seen him in all situations. He is a true genius; with an understanding vigorous, and acute, and refined, and distinguishing even to excess; and illuminated with a most unbounded, peculiar, and original cast of imagination. With these he possesses many external and instrumental advantages; and he makes use of them all. His fortune is among the largest; a fortune which, wholly unincumbered, as it is, with one single charge from luxury, vanity, or excess, sinks under the benevolence of its dispenser.

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This private benevolence, expanding itſelf into patriotiſm, renders his whole being the eſtate of the publick, in which he has not reſerved a *peculium* for himſelf of profit, diverſion, or relaxation. During the ſeſſion, the firſt in, and the laſt out of the houſe of commons; he paſſes from the ſenate to the camp; and ſeldom ſeeing the ſeat of his anceſtors, he is always in the ſenate to ſerve his country, or in the field to defend it. But in all well-wrought compoſitions, ſome particulars ſtand out more eminently than the reſt; and the things which will carry his name to poſterity, are his two bills; I mean that for a limitation of the claims of the crown upon landed eſtates; and this for the relief of the Roman Catholicks. By the former, he has emancipated property; by the latter he has quieted conſcience; and by both, he has taught that grand leſſon to government and ſubject,—no longer to regard each other as adverſe parties.

Such was the mover of the act that is complained of by men, who are not quite ſo good as he is; an act, moſt aſſuredly not brought in by him from any partiality to the ſect which is the object of it. For, among his faults, I really cannot help reckoning a greater degree of prejudice againſt that people, than becomes ſo wiſe a man. I know that he inclines to a ſort of diſguſt, mixed with a conſiderable degree of aſperity, to the ſyſtem; and he has few, or rather no habits with any of its profeſſors,

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profeſſors. What he has done was on quite other motives. The motives were theſe, which he declared in his excellent ſpeech on his motion for the bill; namely, his extreme zeal to the Proteſtant religion, which he thought utterly diſgraced by the act of 1699; and his rooted hatred to all kind of oppreſſion, under any colour or upon any pretence whatſoever.

The ſeconder was worthy of the mover, and the motion. I was not the ſeconder; it was Mr. Dunning, Recorder of this city. I ſhall ſay the leſs of him, becauſe his near relation to you makes you more particularly acquainted with his merits. But I ſhould appear little acquainted with them, or little ſenſible of them, if I could utter his name on this occaſion without expreſſing my eſteem for his character. I am not afraid of offending a moſt learned body, and moſt jealous of its reputation for that learning, when I ſay he is the firſt of his profeſſion. It is a point ſettled by thoſe who ſettle every thing elſe; and I muſt add (what I am enabled to ſay from my own long and cloſe obſervation) that there is not a man, of any profeſſion, or in any ſituation, of a more erect and independent ſpirit; of a more proud honour; a more manly mind; a more firm and determined integrity. Aſſure yourſelves, that the names of two ſuch men will bear a great load of prejudice in the other ſcale, before they can be entirely outweighed.

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With this mover, and this ſeconder, agreed the *whole* houſe of commons; the *whole* houſe of lords; the *whole* bench of biſhops; the king; the miniſtry; the oppoſition; all the diſtinguiſhed clergy of the eſtabliſhment; all the eminent lights (for they were conſulted) of the diſſenting churches. This according voice of national wiſdom ought to be liſtened to with reverence. To ſay that all theſe deſcriptions of Engliſhmen unanimouſly concurred in a ſcheme for introducing the Catholick religion, or that none of them underſtood the nature and effects of what they were doing, ſo well as a few obſcure clubs of people, whoſe names you never heard of, is ſhameleſsly abſurd. Surely it is paying a miſerable compliment to the religion we profeſs, to ſuggeſt, that every thing eminent in the kingdom is indifferent, or even adverſe to that religion, and that its ſecurity is wholly abandoned to the zeal of thoſe, who have nothing but their zeal to diſtinguiſh them. In weighing this unanimous concurrence of whatever the nation has to boaſt of, I hope you will recollect, that all theſe concurring parties do by no means love one another enough to agree in any point, which was not, both evidently, and importantly, right.

To prove this; to prove, that the meaſure was both clearly and materially proper, I will next lay before you (as I promiſed) the political grounds and reaſons for the repeal of that penal ſtatute; and

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and the motives to its repeal at that particular time.

Gentlemen, America——When the Engliſh nation ſeemed to be dangerouſly, if not irrecoverably divided; when one, and that the moſt growing branch, was torn from the parent ſtock, and ingrafted on the power of France, a great terrour fell upon this kingdom. On a ſudden we awakened from our dreams of conqueſt, and ſaw ourſelves threatened with an immediate invaſion; which we were at that time very ill prepared to reſiſt. You remember the cloud that gloomed over us all. In that hour of our diſmay, from the bottom of the hiding-places, into which the indiſcriminate rigour of our ſtatutes had driven them, came out the body of the Roman Catholicks. They appeared before the ſteps of a tottering throne, with one of the moſt ſober, meaſured, ſteady, and dutiful addreſſes that was ever preſented to the crown. It was no holiday ceremony; no anniverſary compliment of parade and ſhow. It was ſigned by almoſt every gentleman of that perſuaſion, of note or property, in England. At ſuch a criſis, nothing but a decided reſolution to ſtand or fall with their country could have dictated ſuch an addreſs; the direct tendency of which was to cut off all retreat; and to render them peculiarly obnoxious to an invader of their own communion. The addreſs ſhewed what I long languiſhed

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languiſhed to ſee, that all the ſubjects of England had caſt off all foreign views and connections, and that every man looked for his relief from every grievance, at the hands only of his own natural government.

It was neceſſary, on our part, that the natural government ſhould ſhew itſelf worthy of that name. It was neceſſary, at the criſis I ſpeak of, that the ſupreme power of the ſtate ſhould meet the conciliatory diſpoſitions of the ſubject. To delay protection would be to reject allegiance. And why ſhould it be rejected, or even coldly and ſuſpiciouſly received? If any independent Catholick ſtate ſhould chooſe to take part with this kingdom in a war with France and Spain, that bigot (if ſuch a bigot could be found) would be heard with little reſpect, who could dream of objecting his religion to an ally, whom the nation would not only receive with its freeſt thanks, but purchaſe with the laſt remains of its exhauſted treaſure. To ſuch an ally we ſhould not dare to whiſper a ſingle ſyllable of thoſe baſe and invidious topicks, upon which, ſome unhappy men would perſuade the ſtate, to reject the duty and allegiance of its own members. Is it then becauſe foreigners are in a condition to ſet our malice at defiance, that with *them*, we are willing to contract engagements of friendſhip, and to keep them with fidelity and honour; but that, becauſe we conceive

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ſome deſcriptions of our countrymen are not powerful enough to puniſh our malignity, we will not permit them to ſupport our common intereſt? Is it on that ground, that our anger is to be kindled by their offered kindneſs? Is it on that ground, that they are to be ſubjected to penalties, becauſe they are willing, by actual merit, to purge themſelves from imputed crimes? Leſt by an adherence to the cauſe of their country they ſhould acquire a title to fair and equitable treatment, are we reſolved to furniſh them with cauſes of eternal enmity; and rather ſupply them with juſt and founded motives to diſaffection, than not to have that diſaffection in exiſtence to juſtify an oppreſſion, which, not from policy but diſpoſition, we have pre-determined to exerciſe?

What ſhadow of reaſon could be aſſigned, why, at a time, when the moſt Proteſtant part of this Proteſtant empire found it for its advantage to unite with the two principal Popiſh ſtates, to unite itſelf in the cloſeſt bonds with France and Spain, for our deſtruction, that we ſhould refuſe to unite with our own Catholick countrymen for our own preſervation? Ought we, like madmen, to tear off the plaiſters, that the lenient hand of prudence had ſpread over the wounds and gaſhes, which in our delirium of ambition we had given to our own body? No perſon ever reprobated the American war more than I did, and do, and ever ſhall.

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But I never will conſent that we ſhould lay additional voluntary penalties on ourſelves, for a fault which carries but too much of its own puniſhment in its own nature. For one, I was delighted with the propoſal of internal peace. I accepted the bleſſing with thankfulneſs and tranſport; I was truly happy to find *one* good effect of our civil diſtractions, that they had put an end to all religious ſtrife and heart-burning in our own bowels. What muſt be the ſentiments of a man, who would wiſh to perpetuate domeſtick hoſtility, when the cauſes of diſpute are at an end; and who, crying out for peace with one part of the nation on the moſt humiliating terms, ſhould deny it to thoſe, who offer friendſhip without any terms at all?

But if I was unable to reconcile ſuch a denial to the contracted principles of local duty, what anſwer could I give to the broad claims of general humanity? I confeſs to you freely, that the ſufferings and diſtreſſes of the people of America in this cruel war, have at times affected me more deeply than I can expreſs. I felt every Gazette of triumph as a blow upon my heart, which has an hundred times ſunk and fainted within me at all the miſchiefs brought upon thoſe who bear the whole brunt of war in the heart of their country. Yet the Americans are utter ſtrangers to me; a nation among whom I am not ſure that I have a ſingle acquaintance.

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acquaintance. Was I to ſuffer my mind to be ſo unaccountably warped; was I to keep ſuch iniquitous weights and meaſures of temper and of reaſon, as to ſympathize with thoſe who are in open rebellion againſt an authority which I reſpect, at war with a country which by every title ought to be, and is moſt dear to me; and yet to have no feeling at all for the hardſhips and indignities ſuffered by men, who by their very vicinity, are bound up in a nearer relation to us; who contribute their ſhare, and more than their ſhare, to the common proſperity; who perform the common offices of ſocial life, and who obey the laws to the full as well as I do? Gentlemen, the danger to the ſtate being out of the queſtion (of which, let me tell you, ſtateſmen themſelves are apt to have but too exquiſite a ſenſe), I could aſſign no one reaſon of juſtice, policy, or feeling, for not concurring moſt cordially, as moſt cordially I did concur, in ſoftening ſome part of that ſhameful ſervitude under which ſeveral of my worthy fellow-citizens were groaning.

Important effects followed this act of wiſdom. They appeared at home and abroad, to the great benefit of this kingdom; and, let me hope, to the advantage of mankind at large. It betokened union among ourſelves. It ſhewed ſoundneſs, even on the part of the perſecuted, which generally is the weak ſide of every community. But

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its moſt eſſential operation was not in England. The act was immediately, though very imperfectly, copied in Ireland; and this imperfect tranſcript of an imperfect act, this firſt faint ſketch of toleration, which did little more than diſcloſe a principle, and mark out a diſpoſition, completed in a moſt wonderful manner the re-union to the ſtate, of all the Catholicks of that country. It made us, what we ought always to have been, one family, one body, one heart and ſoul, againſt the family-combination, and all other combinations of our enemies. We have indeed obligations to that people, who received ſuch ſmall benefits with ſo much gratitude; and for which gratitude and attachment to us, I am afraid they have ſuffered not a little in other places.

I dare ſay, you have all heard of the privileges indulged to the Iriſh Catholicks reſiding in Spain. You have likewiſe heard with what circumſtances of ſeverity they have been lately expelled from the ſea-ports of that kingdom; driven into the inland cities; and there detained as a ſort of priſoners of ſtate. I have good reaſon to believe, that it was the zeal to our government and our cauſe, (ſomewhat indiſcreetly expreſſed in one of the addreſſes of the Catholicks of Ireland) which has thus drawn down on their heads the indignation of the court of Madrid; to the inexpreſſible loſs of ſeveral individuals, and in future, perhaps, to the



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great detriment of the whole of their body. Now that our people ſhould be perſecuted in Spain for their attachment to this country, and perſecuted in this country for their ſuppoſed enmity to us, is ſuch a jarring reconciliation of contradictory diſtreſſes, is a thing at once ſo dreadful and ridiculous, that no malice ſhort of diabolical, would wiſh to continue any human creatures in ſuch a ſituation. But honeſt men will not forget either their merit or their ſufferings. There are men, (and many, I truſt, there are) who, out of love to their country and their kind, would torture their invention to find excuſes for the miſtakes of their brethren; and who, to ſtifle diſſention, would conſtrue, even doubtful appearances, with the utmoſt favour: ſuch men will never perſuade themſelves to be ingenious and refined in diſcovering diſaffection and treaſon in the manifeſt palpable ſigns of ſuffering loyalty. Perſecution is ſo unnatural to them, that they gladly ſnatch the very firſt opportunity of laying aſide all the tricks and devices of penal politicks; and of returning home, after all their irkſome and vexatious wanderings, to our natural family manſion, to the grand ſocial principle, that unites all men, in all deſcriptions, under the ſhadow of an equal and impartial juſtice.

Men of another ſort, I mean the bigotted enemies to liberty, may, perhaps, in their politicks, make

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make no account of the good or ill affection of the Catholicks of England, who are but an handful of people (enough to torment, but not enough to fear) perhaps not so many, of both sexes and of all ages, as fifty thousand. But, gentlemen, it is possible you may not know, that the people of that persuasion in Ireland amount at least to sixteen or seventeen hundred thousand souls. I do not at all exaggerate the number. A *nation* to be persecuted! Whilst we were masters of the sea, embodied with America, and in alliance with half the powers of the continent, we might perhaps, in that remote corner of Europe, afford to tyrannize with impunity. But there is a revolution in our affairs, which makes it prudent to be just. In our late awkward contest with Ireland about trade, had religion been thrown in, to ferment and embitter the mass of discontents, the consequences might have been truly dreadful. But very happily, that cause of quarrel was previously quieted by the wisdom of the acts I am commending.

Even in England, where I admit the danger from the discontent of that persuasion to be less than in Ireland; yet even here, had we listened to the counsels of fanaticism and folly, we might have wounded ourselves very deeply; and wounded ourselves in a very tender part. You are apprised, that the Catholicks of England consist



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moſtly of our beſt manufacturers. Had the legiſlature choſen, inſtead of returning their declarations of duty with correſpondent good-will, to drive them to deſpair, there is a country at their very door, to which they would be invited; a country in all reſpects as good as ours, and with the fineſt cities in the world ready built to receive them. And thus the bigotry of a free country, and in an enlightened age, would have re-peopled the cities of Flanders, which, in the darkneſs of two hundred years ago, had been deſolated by the ſuperſtition of a cruel tyrant. Our manufactures were the growth of the perſecutions in the Low Countries. What a ſpectacle would it be to Europe, to ſee us at this time of day, balancing the account of tyranny with thoſe very countries, and by our perſecutions, driving back trade and manufacture, as a ſort of vagabonds, to their original ſettlement! But I truſt we ſhall be ſaved this laſt of diſgraces.

So far as to the effect of the act on the intereſts of this nation. With regard to the intereſts of mankind at large, I am ſure the benefit was very conſiderable. Long before this act, indeed, the ſpirit of toleration began to gain ground in Europe. In Holland, the third part of the people are Catholicks; they live at eaſe; and are a ſound part of the ſtate. In many parts of Germany, Proteſtants and Papiſts partake the ſame cities, the

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ſame councils, and even the ſame churches. The unbounded liberality of the king of Pruſſia's conduct on this occaſion is known to all the world; and it is of a piece with the other grand maxims of his reign. The magnanimity of the imperial court, breaking through the narrow principles of its predeceſſors, has indulged its proteſtant ſubjects, not only with property, with worſhip, with liberal education; but with honours and truſts, both civil and military. A worthy proteſtant gentleman of this country now fills, and fills with credit, a high office in the Auſtrian Netherlands. Even the Lutheran obſtinacy of Sweden has thawed at length, and opened a toleration to all religions. I know myſelf, that in France the Proteſtants begin to be at reſt. The army, which in that country is every thing, is open to them; and ſome of the military rewards and decorations which the laws deny, are ſupplied by others, to make the ſervice acceptable and honourable. The firſt miniſter of finance in that country, is a Proteſtant. Two years war without a tax, is among the firſt-fruits of their liberality. Tarniſhed as the glory of this nation is, and as far as it has waded into the ſhades of an eclipſe, ſome beams of its former illumination ſtill play upon its ſurface; and what is done in England is ſtill looked to, as argument, and as example. It is certainly true, that no law of this



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country ever met with ſuch univerſal applauſe abroad, or was ſo likely to produce the perfection of that tolerating ſpirit, which, as I obſerved, has been long gaining ground in Europe; for abroad, it was univerſally thought that we had done, what, I am ſorry to ſay, we had not; they thought we had granted a full toleration. That opinion was however ſo far from hurting the Proteſtant cauſe, that I declare, with the moſt ſerious ſolemnity, my firm belief, that no one thing done for theſe fifty years paſt, was ſo likely to prove deeply beneficial to our religion at large as Sir George Savile's act. In its effects it was, "an act for tolerating and pro-"tecting Proteſtantiſm throughout Europe:" and I hope that thoſe who were taking ſteps for the quiet and ſettlement of our Proteſtant brethren in other countries, will even yet, rather conſider the ſteady equity of the greater and better part of the people of Great Britain, than the vanity and violence of a few.

I perceive, gentlemen, by the manner of all about me, that you look with horrour on the wicked clamour which has been raiſed on this ſubject; and that inſtead of an apology for what was done, you rather demand from me an account, why the execution of the ſcheme of toleration, was not made more anſwerable to the large and liberal grounds on which it was taken up. The queſtion

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is natural and proper; and I remember that a great and learned magiſtrate,* diſtinguiſhed for his ſtrong and ſyſtematick underſtanding, and who at that time was a member of the houſe of commons, made the ſame objection to the proceeding. The ſtatutes, as they now ſtand, are, without doubt, perfectly abſurd. But I beg leave to explain the cauſe of this groſs imperfection, in the tolerating plan, as well and as ſhortly as I am able. It was univerſally thought, that the ſeſſion ought not to paſs over without doing *ſomething* in this buſineſs. To reviſe the whole body of the penal ſtatutes was conceived to be an object too big for the time. The penal ſtatute therefore which was choſen for repeal (choſen to ſhew our diſpoſition to conciliate, not to perfect a toleration) was this act of ludicrous cruelty, of which I have juſt given you the hiſtory. It is an act, which, though not by a great deal ſo fierce and bloody as ſome of the reſt, was infinitely more ready in the execution. It was the act which gave the greateſt encouragement to thoſe peſts of ſociety, mercenary informers, and intereſted diſturbers of houſehold peace; and it was obſerved with truth, that the proſecutions, either carried to conviction or compounded, for many years, had been all commenced upon that act. It was ſaid, that whilſt we were deliberating on a more perfect ſcheme, the ſpirit of the age

* The Chancellor.

would never come up to the execution of the ſtatutes which remained; eſpecially as more ſteps, and a co-operation of more minds and powers, were required towards a miſchievous uſe of them, than for the execution of the act to be repealed: that it was better to unravel this texture from below than from above, beginning with the lateſt, which, in general practice, is the ſevereſt evil. It was alleged, that this ſlow proceeding would be attended with the advantage of a progreſſive experience; and that the people would grow reconciled to toleration, when they ſhould find by the effects, that juſtice was not ſo irreconcileable an enemy to convenience as they had imagined.

Theſe, gentlemen, were the reaſons why we left this good work in the rude unfiniſhed ſtate, in which good works are commonly left, through the tame circumſpection with which a timid prudence ſo frequently enervates beneficence. In doing good, we are generally cold, and languid, and ſluggiſh; and of all things afraid of being too much in the right. But the works of malice and injuſtice are quite in another ſtyle. They are finiſhed with a bold maſterly hand; touched as they are with the ſpirit of thoſe vehement paſſions that call forth all our energies whenever we oppreſs and perſecute.

Thus this matter was left for the time, with a full determination in parliament, not to ſuffer other

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other and worse statutes to remain for the purpose of counteracting the benefits proposed by the repeal of one penal law; for nobody then dreamed of defending what was done as a benefit on the ground of its being no benefit at all. We were not then ripe for so mean a subterfuge.

I do not wish to go over the horrid scene that was afterwards acted. Would to God it could be expunged for ever from the annals of this country! But since it must subsist for our shame, let it subsist for our instruction. In the year 1780, there were found in this nation men deluded enough (for I give the whole to their delusion) on pretences of zeal and piety, without any sort of provocation whatsoever, real or pretended, to make a desperate attempt, which would have consumed all the glory and power of this country, in the flames of London; and buried all law, order, and religion, under the ruins of the metropolis of the Protestant world. Whether all this mischief done, or in the direct train of doing, was, in their original scheme, I cannot say; I hope it was not; but this would have been the unavoidable consequence of their proceedings, had not the flames they had lighted up in their fury been extinguished in their blood.

All the time that this horrid scene was acting, or avenging, as well as for some time before, and ever since, the wicked instigators of this unhappy multitude,

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multitude, guilty, with every aggravation, of all their crimes, and ſcreened in a cowardly darkneſs from their puniſhment, continued, without interruption, pity or remorſe, to blow up the blind rage of the populace, with a continued blaſt of peſtilential libels, which infected and poiſoned the very air we breathed in.

The main drift of all the libels, and all the riots, was, to force parliament (to perſuade us was hopeleſs) into an act of national perfidy, which has no example. For, gentlemen, it is proper you ſhould all know what infamy we eſcaped by refuſing that repeal, for a refuſal of which, it ſeems, I, among others, ſtand ſomewhere or other accuſed. When we took away, on the motives which I had the honour of ſtating to you, a few of the innumerable penalties upon an oppreſſed and injured people, the relief was not abſolute, but given on a ſtipulation and compact between them and us; for we bound down the Roman Catholicks with the moſt ſolemn oaths, to bear true allegiance to this government; to abjure all ſort of temporal power in any other; and to renounce, under the ſame ſolemn obligations, the doctrines of ſyſtematick perfidy, with which they ſtood (I conceive very unjuſtly) charged. Now our modeſt petitioners came up to us, moſt humbly praying nothing more, than that we ſhould break our faith, without any one cauſe whatſoever of forfeiture aſſigned; and when the

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the ſubjects of this kingdom had, on their part, fully performed their engagement, we ſhould refuſe on our part, the benefit we had ſtipulated on the performance of thoſe very conditions that were preſcribed by our own authority, and taken on the ſanction of our publick faith—That is to ſay, when we had inveigled them with fair promiſes within our door, we were to ſhut it on them; and, adding mockery to outrage—to tell them, "Now we have got you faſt——your conſciences "are bound to a power reſolved on your deſtruc- "tion. We have made you ſwear, that your re- "ligion obliges you to keep your faith: fools as "you are! we will now let you ſee, that our re- "ligion enjoins us to keep no faith with you!"—They who would adviſedly call upon us to do ſuch things, muſt certainly have thought us not only a convention of treacherous tyrants, but a gang of the loweſt and dirtieſt wretches that ever diſgraced humanity. Had we done this, we ſhould have indeed proved, that there were *ſome* in the world whom no faith could bind; and we ſhould have *convicted* ourſelves of that odious principle of which Papiſts ſtood *accuſed* by thoſe very ſavages, who wiſhed us, on that accuſation, to deliver them over to their fury.

In this audacious tumult, when our very name and character as gentlemen, was to be cancelled for ever along with the faith and honour of the nation,

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nation, I, who had exerted myself very little on the quiet passing of the bill, thought it necessary then to come forward. I was not alone; but though some distinguished members on all sides, and particularly on ours, added much to their high reputation by the part they took on that day, (a) part which will be remembered as long as honour, spirit, and eloquence have estimation in the world) I may and will value myself so far, that yielding in abilities to many, I yielded in zeal to none. With warmth and with vigour, and animated with a just and natural indignation, I called forth every faculty that I possessed, and I directed it in every way in which I could possibly employ it. I laboured night and day. I laboured in parliament; I laboured out of parliament. If therefore the resolution of the house of commons, refusing to commit this act of unmatched turpitude, be a crime, I am guilty among the foremost. But indeed, whatever the faults of that house may have been, no one member was found hardy enough to propose so infamous a thing; and on full debate, we passed the resolution against the petitions with as much unanimity, as we had formerly passed the law of which these petitions demanded the repeal.

There was a circumstance (justice will not suffer me to pass it over) which, if any thing could enforce the reasons I have given, would fully justify the act of relief, and render a repeal, or any thing like

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like a repeal, unnatural, impoſſible. It was the behaviour of the perſecuted Roman Catholicks under the acts of violence and brutal inſolence, which they ſuffered. I ſuppoſe there are not in London leſs than four or five thouſand of that perſuaſion from my country, who do a great deal of the moſt laborious works in the metropolis; and they chiefly inhabit thoſe quarters, which were the principal theatre of the fury of the bigotted multitude. They are known to be men of ſtrong arms, and quick feelings, and more remarkable for a determined reſolution, than clear ideas, or much foreſight. But though provoked by every thing that can ſtir the blood of men, their houſes and chapels in flames, and with the moſt atrocious profanations of every thing which they hold ſacred before their eyes, not a hand was moved to retaliate, or even to defend. Had a conflict once begun, the rage of their perſecutors would have redoubled. Thus fury increaſing by the reverberation of outrages, houſe being fired for houſe, and church for chapel, I am convinced, that no power under heaven could have prevented a general conflagration; and at this day London would have been a tale. But I am well informed, and the thing ſpeaks it, that their clergy exerted their whole influence to keep their people in ſuch a ſtate of forbearance and quiet, as, when I look back, fills me with aſtoniſhment; but not with aſtoniſhment only. Their

merits

merits on that occaſion ought not to be forgotten; nor will they, when Engliſhmen come to recollect themſelves. I am ſure it were far more proper to have called them forth, and given them the thanks of both houſes of parliament, than to have ſuffered thoſe worthy clergymen, and excellent citizens, to be hunted into holes and corners, whilſt we are making low-minded inquiſitions into the number of their people; as if a tolerating principle was never to prevail, unleſs we were very ſure that only a few could poſſibly take advantage of it. But indeed we are not yet well recovered of our fright. Our reaſon, I truſt, will return with our ſecurity; and this unfortunate temper will paſs over like a cloud.

Gentlemen, I have now laid before you a few of the reaſons for taking away the penalties of the act of 1699, and for refuſing to eſtabliſh them on the riotous requiſition of 1780. Becauſe I would not ſuffer any thing which may be for your ſatisfaction to eſcape, permit me juſt to touch on the objections urged againſt our act and our reſolves, and intended as a juſtification of the violence offered to both houſes. "Parliament," they aſſert, "was too haſty, and they ought, in ſo eſſential "and alarming a change, to have proceeded with "a far greater degree of deliberation." The direct contrary. Parliament was too ſlow. They took fourſcore years to deliberate on the repeal of an act

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act which ought not to have ſurvived a ſecond ſeſſion. When at length, after a procraſtination of near a century, the buſineſs was taken up, it proceeded in the moſt publick manner, by the ordinary ſtages, and as ſlowly as a law ſo evidently right as to be reſiſted by none, would naturally advance. Had it been read three times in one day, we ſhould have ſhewn only a becoming readineſs to recogniſe by protection the undoubted dutiful behaviour of thoſe whom we had but too long puniſhed for offences of preſumption or conjecture. But for what end was that bill to linger beyond the uſual period of an unoppoſed meaſure? Was it to be delayed until a rabble in Edinburgh ſhould dictate to the church of England what meaſure of perſecution was fitting for her ſafety? Was it to be adjourned until a fanatical force could be collected in London, ſufficient to frighten us out of all our ideas of policy and juſtice? Were we to wait for the profound lectures on the reaſon of ſtate, eccleſiaſtical and political, which the Proteſtant aſſociation have ſince condeſcended to read to us? Or were we, ſeven hundred peers and commoners, the only perſons ignorant of the ribbald invectives which occupy the place of argument in thoſe remonſtrances, which every man of common obſervation had heard a thouſand times over, and a thouſand times over had deſpiſed? All men had before heard what they have to ſay; and all men

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men at this day know what they dare to do; and I trust, all honest men are equally influenced by the one, and by the other.

But they tell us, that those our fellow-citizens, whose chains we have a little relaxed, are enemies to liberty and our free constitution.—Not enemies, I presume, to their *own* liberty. And as to the constitution, until we give them some share in it, I do not know on what pretence we can examine into their opinions about a business in which they have no interest or concern. But after all, are we equally sure, that they are adverse to our constitution, as that our statutes are hostile and destructive to them? For my part, I have reason to believe, their opinions and inclinations in that respect are various, exactly like those of other men: and if they lean more to the crown than I, and than many of you think *we* ought, we must remember, that he who aims at another's life, is not to be surprised if he flies into any sanctuary that will receive him. The tenderness of the executive power is the natural asylum of those upon whom the laws have declared war; and to complain that men are inclined to favour the means of their own safety, is so absurd, that one forgets the injustice in the ridicule.

I must fairly tell you, that so far as my principles are concerned, (principles, that I hope will only depart with my last breath) that I have no idea of liberty

a liberty unconnected with honesty and justice. Nor do I believe, that any good constitutions of government or of freedom, can find it necessary for their security to doom any part of the people to a permanent slavery. Such a constitution of freedom, if such can be, is in effect no more than another name for the tyranny of the strongest faction; and factions in republicks have been, and are, full as capable as monarchs, of the most cruel oppression and injustice. It is but too true, that the love, and even the very idea, of genuine liberty, is extremely rare. It is but too true, that there are many, whose whole scheme of freedom is made up of pride, perverseness, and insolence. They feel themselves in a state of thraldom, they imagine that their souls are cooped and cabbined in, unless they have some man, or some body of men, dependent on their mercy. This desire of having some one below them, descends to those who are the very lowest of all,—and a Protestant cobler, debased by his poverty, but exalted by his share of the ruling church, feels a pride in knowing it is by his generosity alone, that the peer, whose footman's instep he measures, is able to keep his chaplain from a jail. This disposition is the true source of the passion, which many men, in very humble life, have taken to the American war. Our subjects in America; *our* colonies; *our* dependants. This lust of party-power, is the liberty they



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hunger and thirſt for; and this Syren ſong of ambition, has charmed ears, that one would have thought were never organiſed to that ſort of muſick.

This way of *proſcribing the citizens by denominations and general deſcriptions*, dignified by the name of reaſon of ſtate, and ſecurity for conſtitutions and commonwealths, is nothing better at bottom, than the miſerable invention of an ungenerous ambition, which would fain hold the ſacred truſt of power, without any of the virtues or any of the energies, that give a title to it; a receipt of policy, made up of a deteſtable compound of malice, cowardice, and ſloth. They would govern men againſt their will; but in that government they would be diſcharged from the exerciſe of vigilance, providence, and fortitude; and therefore, that they may ſleep on their watch, they conſent to take ſome one diviſion of the ſociety into partnerſhip of the tyranny over the reſt. But let government, in what form it may be, comprehend the whole in its juſtice, and reſtrain the ſuſpicious by its vigilance; let it keep watch and ward; let it diſcover by its ſagacity, and puniſh by its firmneſs, all delinquency againſt its power, whenever delinquency exiſts in the overt acts; and then it will be as fair as ever God and nature intended it ſhould be. Crimes are the acts of individuals, and not of denominations; and therefore arbitrarily to claſs men under general deſcriptions, in order to proſcribe and puniſh them

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in the lump for a presumed delinquency, of which perhaps but a part, perhaps none at all, are guilty; is indeed a compendious method, and saves a world of trouble about proof; but such a method instead of being law, is an act of unnatural rebellion against the legal dominion of reason and justice; and this vice, in any constitution that entertains it, at one time or other will certainly bring on its ruin.

We are told that this is not a religious persecution, and its abettors are loud in disclaiming all severities on account of conscience. Very fine indeed! then let it be so; they are not persecutors; they are only tyrants. With all my heart. I am perfectly indifferent concerning the pretexts upon which we torment one another; or whether it be for the constitution of the church of England, or for the constitution of the state of England, that people choose to make their fellow-creatures wretched. When we were sent into a place of authority, you that sent us had yourselves but one commission to give. You could give us none to wrong or oppress, or even to suffer any kind of oppression or wrong, on any grounds whatsoever; not on political, as in the affairs of America; not on commercial, as in those of Ireland; not in civil, as in the laws for debt; not in religious, as in the statutes against Protestant or Catholick dissenters. The diversified but connected fabrick of universal justice, is well cramped and bolted together in all

its parts; and depend upon it, I never have employed, and I never shall employ, any engine of power which may come into my hands, to wrench it asunder. All shall stand, if I can help it, and all shall stand connected. After all, to complete this work, much remains to be done; much in the East, much in the West. But great as the work is, if our will be ready, our powers are not deficient.

Since you have suffered me to trouble you so much on this subject, permit me, gentlemen, to detain you a little longer. I am indeed most solicitous to give you perfect satisfaction. I find there are some of a better and softer nature than the persons with whom I have supposed myself in debate, who neither think ill of the act of relief, nor by any means desire the repeal, yet who, not accusing but lamenting what was done, on account of the consequences, have frequently expressed their wish, that the late act had never been made. Some of this description, and persons of worth, I have met with in this city. They conceive, that the prejudices, whatever they might be, of a large part of the people, ought not to have been shocked; that their opinions ought to have been previously taken, and much attended to; and that thereby the late horrid scenes might have been prevented. I confess, my notions are widely different; and I never was less sorry for any action of my life. I like the bill the better, on account of the events of all

all kinds that followed it. It relieved the real sufferers; it strengthened the state; and, by the disorders that ensued, we had clear evidence that there lurked a temper somewhere, which ought not to be fostered by the laws. No ill consequences whatever could be attributed to the act itself. We knew beforehand, or we were poorly instructed, that toleration is odious to the intolerant; freedom to oppressors; property to robbers; and all kinds and degrees of prosperity to the envious. We knew, that all these kinds of men would gladly gratify their evil dispositions under the sanction of law and religion, if they could; if they could not, yet, to make way to their objects, they would do their utmost to subvert all religion and all law. This we certainly knew. But knowing this, is there any reason, because thieves break in and steal, and thus bring detriment to you, and draw ruin on themselves, that I am to be sorry that you are in possession of shops, and of warehouses, and of wholesome laws to protect them? Are you to build no houses, because desperate men may pull them down upon their own heads? Or, if a malignant wretch will cut his own throat because he sees you give alms to the necessitous and deserving, shall his destruction be attributed to your charity, and not to his own deplorable madness? If we repent of our good actions, what, I pray you, is left for our faults and follies? It is not the beneficence of



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the laws, it is the unnatural temper which beneficence can fret and sour, that is to be lamented. It is this temper which, by all rational means, ought to be sweetened and corrected. If froward men should refuse this cure, can they vitiate any thing but themselves? Does evil so react upon good, as not only to retard its motion, but to change its nature? If it can so operate, then good men will always be in the power of the bad; and virtue, by a dreadful reverse of order, must lie under perpetual subjection and bondage to vice.

As to the opinion of the people, which some think, in such cases, is to be implicitly obeyed; near two years tranquillity, which followed the act, and its instant imitation in Ireland, proved abundantly, that the late horrible spirit was, in a great measure, the effect of insidious art, and perverse industry, and gross misrepresentation. But suppose that the dislike had been much more deliberate, and much more general than I am persuaded it was—When we know, that the opinions of even the greatest multitudes, are the standard of rectitude, I shall think myself obliged to make those opinions the masters of my conscience. But if it may be doubted whether Omnipotence itself is competent to alter the essential constitution of right and wrong, sure I am, that such *things*, as they and I, are possessed of no such power. No man carries further than I do the policy of making government

pleasing

pleasing to the people. But the widest range of this politick complaisance is confined within the limits of justice. I would not only consult the interest of the people, but I would cheerfully gratify their humours. We are all a sort of children that must be soothed and managed. I think I am not austere or formal in my nature. I would bear, I would even myself play my part in, any innocent buffooneries, to divert them. But I never will act the tyrant for their amusement. If they will mix malice in their sports, I shall never consent to throw them any living, sentient, creature whatsoever, no not so much as a kitling, to torment.

"But if I profess all this impolitick stubborn-"ness, I may chance never to be elected into Par-"liament." It is certainly not pleasing to be put out of the publick service. But I wish to be a member of Parliament, to have my share of doing good and resisting evil. It would therefore be absurd to renounce my objects, in order to obtain my seat. I deceive myself indeed most grossly, if I had not much rather pass the remainder of my life hidden in the recesses of the deepest obscurity, feeding my mind even with the visions and imaginations of such things, than to be placed on the most splendid throne of the universe, tantalized with a denial of the practice of all which can make the greatest situation any other than the greatest curse. Gentlemen, I have had my day. I can



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never sufficiently express my gratitude to you for having set me in a place, wherein I could lend the slightest help to great and laudable designs. If I have had my share, in any measure giving quiet to private property, and private conscience; if by my vote I have aided in securing to families the best possession, peace; if I have joined in reconciling kings to their subjects, and subjects to their prince; if I have assisted to loosen the foreign holdings of the citizen, and taught him to look for his protection to the laws of his country, and for his comfort to the goodwill of his countrymen;—if I have thus taken my part with the best of men in the best of their actions, I can shut the book;—I might wish to read a page or two more—but this is enough for my measure.—I have not lived in vain.

And now, Gentlemen, on this serious day, when I come, as it were, to make up my account with you, let me take to myself some degree of honest pride on the nature of the charges that are against me. I do not here stand before you accused of venality, or of neglect of duty. It is not said, that, in the long period of my service, I have, in a single instance, sacrificed the slightest of your interests to my ambition, or to my fortune. It is not alleged, that to gratify any anger, or revenge of my own, or of my party, I have had a share in wronging or oppressing any description of men, or any one man in any description. No! the charges against

me,

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me, are all of one kind, that I have purſued the principles of general juſtice and benevolence too far; further than a cautious policy would warrant; and further than the opinions of many would go along with me.—In every accident which may happen through life, in pain, in ſorrow, in depreſſion, and diſtreſs—I will call to mind this acclamation; and be comforted.

Gentlemen, I ſubmit the whole to your judgment. Mr. Mayor, I thank you for the trouble you have taken on this occaſion. In your ſtate of health, it is particularly obliging. If this company ſhould think it adviſeable for me to withdraw, I ſhall reſpectfully retire; if you think otherwiſe, I ſhall go directly to the Council-houſe and to the Change, and, without a moment's delay, begin my canvaſs.

BRISTOL,

BRISTOL, *September* 6, 1780.

AT a great and reſpectable meeting of the friends of EDMUND BURKE, Eſq. held at the Guildhall this day;

The Right Worſhipful the Mayor in the Chair:

Reſolved, That Mr. Burke, as a repreſentative for this city, has done all poſſible honour to himſelf as a ſenator and a man, and that we do heartily and honeſtly approve of his conduct, as the reſult of an enlightened loyalty to his ſovereign; a warm and zealous love to his country, through its widely-extended empire; a jealous and watchful care of the liberties of his fellow-ſubjects; an enlarged and liberal underſtanding of our commercial intereſt; a humane attention to the circumſtances of even the loweſt ranks of the community; and a truly wiſe, politick, and tolerant ſpirit, in ſupporting the national church, with a reaſonable indulgence to all who diſſent from it; and we wiſh to expreſs the moſt marked abhorrence of the baſe arts which have been employed, without regard to truth and reaſon, to miſrepreſent his eminent ſervices to his country.

Reſolved, That this reſolution be copied out, and ſigned by the chairman, and be by him preſented to Mr. Burke, as the fulleſt expreſſion of the reſpectful and grateful ſenſe we entertain of his merits and ſervices, publick and private, to the citizens of Briſtol, as a man and a repreſentative.

Reſolved, That the thanks of this meeting be given to the right worſhipful the Mayor, who ſo ably and worthily preſided in this meeting.

Reſolved, That it is the earneſt requeſt of this meeting to Mr. Burke, that he ſhould again offer himſelf a candidate to repreſent this city in parliament; aſſuring him of that full and ſtrenuous ſupport which is due to the merits of ſo excellent a repreſentative.

This

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This buſineſs being over, Mr. Burke went to the Exchange, and offered himſelf as a candidate in the uſual manner. He was accompanied to the Council-houſe, and from thence to the Exchange, by a large body of moſt reſpectable gentlemen, amongſt whom were the following members of the corporation, viz. Mr. Mayor, Mr. Alderman Smith, Mr. Alderman Deane, Mr. Alderman Gordon, William Weare, Samuel Munckley, John Merlott, John Crofts, Levy Ames, John Fiſher Weare, Benjamin Loſcombe, Philip Protheroe, Samuel Span, Joſeph Smith, Richard Bright, and John Noble, Eſquires.

MR.

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# MR. BURKE's SPEECH,

## *AT BRISTOL,*

ON

## DECLINING THE POLL.

1780.

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# SPEECH, &c.

BRISTOL, SATURDAY, *9th Sept.* 1780.

This morning the ſheriff and candidates aſſembled as uſual, at the Council-houſe, and from thence proceeded to Guildhall. Proclamation being made for the electors to appear and give their votes, Mr. BURKE ſtood forward on the huſtings, ſurrounded by a great number of the corporation and other principal citizens, and addreſſed himſelf to the whole aſſembly as follows:

GENTLEMEN,

I DECLINE the Election.——It has ever been my rule through life, to obſerve a proportion between my efforts and my objects. I have never been remarkable for a bold, active, and ſanguine purſuit of advantages that are perſonal to myſelf.

I have not canvaſſed the whole of this city in form. But I have taken ſuch a view of it as ſatisfies my own mind, that your choice will not ultimately fall upon me. Your city, gentlemen, is in a ſtate of miſerable diſtraction: and I am reſolved to withdraw whatever ſhare my pretenſions may have had in its unhappy diviſions. I have not been in haſte; I have tried all prudent means; I have waited for the effect of all contingencies. If I were

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I were fond of a conteſt, by the partiality of my numerous friends (whom you know to be among the moſt weighty and reſpectable people of the city) I have the means of a ſharp one in my hands. But I thought it far better with my ſtrength unſpent, and my reputation unimpaired, to do, early and from foreſight, that which I might be obliged to do from neceſſity at laſt.

I am not in the leaſt ſurpriſed, nor in the leaſt angry at this view of things. I have read the book of life for a long time, and I have read other books a little. Nothing has happened to me, but what has happened to men much better than me, and in times and in nations full as good as the age and country that we live in. To ſay that I am no way concerned, would be neither decent nor true. The repreſentation of *Briſtol* was an object on many accounts dear to me; and I certainly ſhould very far prefer it to any other in the kingdom. My habits are made to it; and it is in general more unpleaſant to be rejected after long trial, than not to be choſen at all.

But, gentlemen, I will ſee nothing except your former kindneſs, and I will give way to no other ſentiments than thoſe of gratitude. From the bottom of my heart I thank you for what you have done for me. You have given me a long term, which is now expired. I have performed the conditions, and enjoyed all the profits to the full; and

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and I now surrender your estate into your hands without being in a single tile or a single stone impaired or wasted by my use. I have served the publick for fifteen years. I have served you in particular for six. What is passed is well stored. It is safe, and out of the power of fortune. What is to come, is in wiser hands than ours; and he, in whose hands it is, best knows whether it is best for you and me that I should be in parliament, or even in the world.

Gentlemen, the melancholy event of yesterday reads to us an awful lesson against being too much troubled about any of the objects of ordinary ambition. The worthy gentleman,* who has been snatched from us at the moment of the election, and in the middle of the contest, whilst his desires were as warm, and his hopes as eager as ours, has feelingly told us, what shadows we are, and what shadows we pursue.

It has been usual for a candidate who declines, to take his leave by a letter to the sheriffs; but I received your trust in the face of day; and in the face of day I accept your dismission. I am not,—I am not at all ashamed to look upon you; nor can my presence discompose the order of business here. I humbly and respectfully take my leave of the sheriffs, the candidates, and the electors; wishing heartily that the choice may be for the best,

* Mr. Coombe.



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at a time which calls, if ever time did call, for ſervice that is not nominal. It is no plaything you are about. I tremble when I conſider the truſt I have preſumed to aſk. I confided perhaps too much in my intentions. They were really fair and upright; and I am bold to ſay, that I aſk no ill thing for you, when on parting from this place I pray that whomever you chuſe to ſucceed me, he may reſemble me exactly in all things, except in my abilities to ſerve, and my fortune to pleaſe you.

THE END OF THE THIRD VOLUME.

T. Gillet, Printer, Salisbury-square.

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